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DISPUTE

BETWEEN THE

United States and France.

JUNE, 1707.

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OBSERVATIONS

ON THE

DISPUTE

BETWEEN THE

United States and France,

ADDRESSED

By a Southern member of Congress

TO HIS

CONSTITUENTS,

IN MAY, 1797.

PHILADELPHIA:

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OBSERVATIONS, &c.

IT will be recollected, my fellow citizens, that while I have claimed, as one of the repreſentatives of the American people, the right of acting according to my own judgment, on all queſtions which concern their general intereſts, I have always deemed it my duty to you, from whom I received the appointment, to make you acquainted, not only with my opinion and conduct on every important meaſure, but alſo with the reaſons by which I have been guided.

This duty I am now about to fulfil in a caſe of the higheſt importance. Having on two former occaſions declared to you in the moſt unreſerved manner, my opinion reſpecting the differences which have unfortunately ariſen between this country and France, I am now about to explain the reaſons whereon that opinion is founded.

After ſtating ſome conſiderations which have induced me to believe that the charges alledged againſt us by France, are wholly unfounded, I ſhall endeavour to place her conduct and views reſpecting this country in their true light, and to develope the general ſyſtem of policy towards other nations, which ſhe appears to be purſuing. This part of the ſubject I apprehend will

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be found deſerving of particular attention; for without taking into view her general plan of foreign policy, it will be extremely difficult to diſcern the principles whereby her conduct towards ourſelves is directed.

And permit me, fellow citizens, to introduce my remarks on this ſubject, by a declaration to the truth whereof moſt of you can bear witneſs. Permit me to declare, that while France appeared to be engaged in a ſtruggle for liberty and national independence, no heart beat higher than mine with affection for her cauſe. I joined with enthuſiaſm in the general exultation of my country for her victories, mourned for her diſaſters, and wiſhed to draw a veil over her crimes, her follies, and her exceſſes. Even her crimes appeared only as miſtakes in my eyes, and her moſt enormous atrocities as natural, and perhaps neceſſary conſequences of the violent external and internal ſtruggles wherein ſhe was engaged; I called them the crimes of the revolution, not of France, and I pardoned them. Where I could not pardon, I excuſed, I palliated. I conſidered her as fighting in the cauſe of freedom and humanity, and an end ſo excellent afforded much conſolation for the means which ſhe often employed.

This end we have now ſeen her moſt fully attain. We have ſeen her repel all her enemies, and eſtabliſh her independance upon the firmeſt and moſt formidable baſis. We have ſeen her inſtead of being cruſhed herſelf, threatening to cruſh all the ſurrounding ſtates; annexing ſome to herſelf, reducing others to an abſolute ſubſerviency to her will, and making deep inroads on the power of the reſt; we have ſeen her after various revolutions at home, adopt at length the government for which ſhe contended, the government of her own free choice.

Why then inſtead of confining herſelf to her own defence, has ſhe become the aſſailant? Why does ſhe refuſe that peace which her enemies have over and over propoſed, and whereby ſhe would be left in poſſeſſion of very large acquiſitions? Why after renouncing repeatedly, and in the moſt formal manner, all idea of conqueſt, does ſhe ſtill preſs on to new conqueſts, and proudly refuſe even to treat for peace, unleſs all that

ſhe has ſeized be firſt confirmed to her, and all that ſhe has loſt be firſt reſtored? *

Why does ſhe compel all thoſe ſtates, whoſe councils ſhe can influence or controul, to join her in the war? Why does ſhe endeavour to excite the Ruſſians and the Turks againſt Auſtria, which offers and even ſolicits peace on terms highly advantageous to her? Why does ſhe attempt to bribe Pruſſia with a part of the ſpoils of Auſtria, to aſſiſt her in reducing it under her power? Why does ſhe ſtrive to arm every neutral ſtate againſt the commerce of the Engliſh, and to exclude their ſhips from every port? Why does ſhe declare that ſhe will never lay down her arms 'till ſhe has broken and deſtroyed the maritime ſtrength of England?

It is that ſhe has formed a plan of aggrandiſement at the expenſe of all her neighbours; that after the example of the Romans, thoſe ferocious and ſyſtematic deſtroyers of mankind, ſhe has reſolved to make all Europe, and finally the whole world, bend beneath her yoke; a reſolution in the accompliſhment whereof ſhe purſues the Roman policy, of dividing to deſtroy; of bribing one nation with the ſpoils of another; of inticing the ſtronger to inaction, reducing the weak to ſubmiſſion, and by the reſources of the one, and the connivance of the other, breaking the ſtrength of thoſe whoſe power ſhe dreads, and whoſe policy ſhe cannot deceive.

And is this a project, my fellow citizens, in which we ought to wiſh her ſucceſs? Is it deſirable that the balance of power, whereby the great nations of Europe have heretofore been mutually checked, and in ſome degree confined within the limits of juſtice and moderation, ſhould be wholly deſtroyed, to make way for one uncontrouled and deſpotic maſter, whoſe power being uncheeked, muſt from the very conſtitution of human nature, be conſtantly abuſed? Is this a plan which deſerves the good wiſhes of this country? Shall we be more ſafe when Europe ſhall have been reduced

* It is on this ground that ſhe has twice repulſed the advances of England and Auſtria; ſhe has expreſly refuſed the baſis of *mutual reſtitution*, and declared that ſhe would not hear any propoſal reſting on it. This amounts to ſaying, all that I have taken I will keep, and all that you have taken you ſhall give up, and then I will hear what you have to ſay.

under the uncontrouled influence of France, than while her power is checked and balanced by that of other nations, who will be induced by the desire of preserving that balance to shield us from her aggressions? I believe that every principle of sound policy will answer in the negative.

Had France however, been content to pursue her projects of ambition in Europe, and leave us in peace, though we might have wished, for the good of humanity, to see them defeated, yet a due regard to our own interests, and even tothose of the civilized world, would have forbidden us to join in the attempt: for although we should certainly be exposed to temporary evils by the preponderance of her power, yet our strength increases with a rapidity, which must place us in a very short time beyond the reach of danger or dread, and may also enable us to preserve the liberties of mankind, by forming a counterpoise and a check to the ambition of France, after they shall be lost in Europe. This strength would be greatly diminished, and its increase long retarded by a premature exertion. To remain in peace therefore, amidst the present conflict of empires, was a duty to ourselves, to posterity, and to the human race.

This wise policy, the result of deep foresight, and of an enlightened regard to the interests of this country and of humanity, was early adopted by our government. But France did not thus judge, nor so determine. She early saw in this country a powerful instrument for promoting her ambition, and she early formed a resolution to use it. Hence her efforts to gain the controul of our affairs: hence her unceasing endeavours to excite jealousies against the government, and divisions among the people, to blow up our animosities against England, and foment our ancient discontents. Hence those unfounded pretensions, which we saw her first minister set up; pretensions which, if admitted, must have placed the affairs of this country intirely under his controul. Hence did we see him, when the government refused to yield to these pretensions, treating it with insult and outrage, and threatening to appeal from its decisions to the people. We

ſaw him arm and commiſſion privateers in our ports, againſt the expreſs orders of the government, and ſend them to ſea in contempt of its authority. We ſaw him attempt to levy an army in our country, for the purpoſe of invading nations with whom we were in peace. We ſaw him make a formal complaint againſt the Preſident for refuſing to convene Congreſs at his inſtance.

All this he did in the avowed purſuit of the object of his inſtructions, which, to uſe their own words, enjoined him "to excite to the utmoſt the zeal of the "Americans, and induce them, if poſſible, to make a "common cauſe with France." *

When he was recalled on our complaining of his conduct, our warm and partial regard for France induced us to hope, and even to believe, that the ſyſtem was relinquiſhed with the change of the Miniſter.

We ſoon however found our miſtake; we found that not the object, but the mode of purſuing it had been changed; and that inſtead of threats and bluſtering whereby it was perceived that the plan was counteracted inſtead of being promoted, an artful inſidious courſe was adopted, more dangerous becauſe more deceptive.

With this change in the form, the principles and ſubſtance of Genet's ſyſtem were invariably purſued by his ſucceſſors: the ſame attempts to drive us from our neutrality, under the pretence of preſerving it, were renewed and inceſſantly repeated: his moſt inadmiſſable pretentions, thoſe pretentions ſo incompatible with our ſovereignty, ſo repugnant to our ſyſtem of impartial neutrality, were renewed and unceaſingly urged; and the ſteady refuſal of our Government to yield to them, with its firm reſolution, to perſiſt in conducting our affairs in the manner which it conceived moſt conducive to our intereſts, and moſt conſonant with juſtice towards other nations, have been made the ground of proceedings on the part of France, the moſt inſulting and injurious. The French Government has at length made that appeal to the people of America, which her Miniſter formerly threatened. It has explained its pretenſions, ſtated its complaints, and detailed its injuries. In re-

* See the inſtructions to Mr. Genet publiſhed by himſelf on the 20th of December, 1793.

venge for thoſe injuries, as it informs us, it has broken the treaty between the two countries, let looſe its ſhips of war and privateers to pillage and maltreat our citizens, and has inſultingly driven from its territory a miniſter ſent expreſsly to explain and conciliate. It has declared, that it will hear nothing from us, until the injuries of which it complains are redreſſed; or in other words, that we muſt ſubmit to the terms which it ſhall think proper to preſcribe, before it will deign to negociate, or even to converſe, on the points in diſpute. It has informed us that it is "terrible to its enemies;" reminded us, as it has very frequently done before, that we are indebted to it for our independence; and promiſed "that when we bring back our Government to its "true principles, we ſhall again be regarded as friends "and allies."

It has ſaid in effect, "you Americans whom we re-"deemed from ſlavery when you were about to ſink "again under the yoke of your former maſters, and "who for that reaſon ought to become in all things "ſubſervient to us, have inſtituted a government which "in the management of your affairs, has preſumed to "judge for itſelf, and refuſed to be guided by our di-"rections. As a friendly admonition of our juſt diſ-"pleaſure, we take your veſſels, confiſcate your pro-"perty, and throw your citizens into dungeons and "priſon ſhips; for we are 'terrible to our enemies.' "But as ſoon as you ſhall reclaim your government "from its errors, and teach it to conform to our will, "you ſhall again be received into favour. In the mean "time, having ſignified to you our pleaſure, we expect "ſilent and ſubmiſſive compliance. We will hear "nothing from you, or from this government which "has given us offence, until you repent and amend. "The rod, under which you now ſmart, ſhall ſtill be ex-"tended over you, till you kiſs it and return to your "duty. Then indeed will we hold out the ſceptre of "forgiveneſs; for though 'terrible to our enemies,' we "are generous to our friends." This is the plain language of their conduct, the true interpretation of their words.

And is America so low, so fallen, that she must tamely and submissively kiss this rod? Has that spirit which twenty years ago, when she had not half her present population, not a tenth part of her present wealth, no government, no bond of union among her different parts, no experience of her strength, no establishments of national defence, no name, no existence as a people; which then impelled her to resist the haughty pretensions and tyrannical encroachments of Britain, in the zenith of her power and elated by her recent triumph over the arms of France; is that spirit so totally extinguished, that she must crouch at the feet of this haughty, this ambitious republic, and by abject submission, purchase a precarious, a dishonourable quiet? Americans of 76, ye who fought at Bunker's Hill, at Bennington, at Quebec, at Saratoga, at Monmouth, at Guilford, Kings-Mountain, Eutaw and the Cowpens; companions of Warren, of Montgomery, of Gates, of Mercer, of Morgan, of Wayne, of Green and of Washington, where have ye retired? Has your courage rusted with your swords; or is the soil which gave you birth, no longer capable of nourishing Patriots and Heros? Shall your country, that country which notwithstanding the insulting taunts of this proud republic, your arms rescued from the oppression of a tyrannical parent, shall it reap no other fruit from your toils and your blood, than to be reduced under the obedience of an unjust and ambitious neighbour, who in return for benefits always gratefully acknowledged, tho' conferred because they were useful to herself, and with which for four years past she has never ceased to upbraid us, claims a surrender of our interests and our rights, and the direction of our affairs? I hear you with one voice answer NO. "The sons of America," I hear you cry, "should "her wife and moderate endeavours to preserve her "rights by peacable means still prove unsuccessfull, "will again at her call beat their plowshares into "swords, and the proud and insolent aggressor shall "soon be convinced, that a brave and just people, tho' "long patient under injuries from those whom once it "loved, will rouse at last, and desirous of peace will re-"member that it must sometimes be preserved by war."

The American people, then my fellow citizens, and you as part of them, are called upon to decide between their own government, and that of another nation; to decide whether their affairs shall be conducted by those whom they have selected for that purpose from among themselves, or by the agents of a foreign power: Whether that power under pretence of a treaty, which it asserts an exclusive right to expound, and claims the priviledge of violating as often as its operation shall be found disadvantageous,* and of the law of nations, which it has publicly professed to disregard,† shall snatch the reins of our government from the hands in which we have placed them? whether, in fine, they will give their confidence to men of their own choice, having the same interests with themselves, or to strangers and foreigners, charged with the interests of another country, and always seeking to promote them at our expence? Can the decision be difficult?

And what are these pretensions, which France enforces by the plunder of our merchants, and the imprisonment of our citizens? What are those injuries which she avenges by insulting our government and our country, and wherof, with a more than magisterial haughtiness, she declares, that the redress shall precede all explanation?

She complains of our treaty with Great Britain, of the construction which we have put on some articles of her own treaties with us, of our refusal to form a new and

*See Mr. Adet's note of October 27, 1796; where this right is expressly asserted.

† See the letter of M. Tilly, French Charge des Affairs at Genoa, to the Secretary of State of that republic, dated July 24, 1794: Debrets state papers, vol. 2, page 347—In a controversy between them, the Genoese Secretary relied on the law of nations: M. Tilly replied, "that he did not acknowledge as public rights, (*Droits publics* which ought to have been translated *public laws*) papers drawn up under the authority of kings," It was to ascertain and establish the true public law, he said, that the French had taken up arms, "until this work of theirs, he adds, shall be completed, their ministers resident in foreign states, are bound provisionally "to make the French name respected, by conducting themselves conformably to reason and justice, which are the only basis of true public "rights;" of this *reason and justice* the French themselves were to be the judges, and under this pretence, they were to controul and set aside the established law of nations.

This was pretty much of a piece with the declaration of Mr. Genet, who thanked God that he had long since forgotten, what was contained in the *worm eaten volumes of Vattel, Grotius, and Puffendorf.*

more comprehenſive treaty with her; of a backwardneſs, which ſhe ſays, has appeared on our part, to accept her aſſiſtance in our negotiation with Algiers, and of violations of our neutrality, which, ſhe alledges, we have authoriſed, or winked at in favour of England. Of the Britiſh treaty ſhe complains, "that it is a violation of "the treaty concluded with France in 1778, and equi- "valent to a treaty of alliance with Great Britain." She declares that in this treaty "the United States have "knowingly and evidently ſacrificed their connections "with the republic, and the moſt eſſential and leaſt "conteſted prerogatives of neutrality."

But in this treaty the rights of France are expreſsly ſecured; for in the twenty-fifth article, it is provided, that, "nothing in the treaty contained ſhall be conſtru- "ed, or operate, contrary to former and exiſting pub- "lic treaties, with other ſovereigns or ſtates?" How then can this treaty infringe the rights of France, or violate the treaty ſubſiſting between her and this country.

But ſhe replies, it makes conceſſions to Great Britain, of important rights; admitting this to be true, France could not complain; for thoſe rights would immediately become common to her: It being expreſsly ſtipulated in the ſecond article of her treaty with us, "that neither "of the parties ſhall grant any particular favour to other "nations, in reſpect of commerce or navigation, which "ſhall not immediately become common to the other "party, who ſhall enjoy the ſame favour freely, if the "conceſſion is freely made, or on allowing the ſame "compenſation, if the conceſſion was conditional;" each party therefore may make conceſſions to other nations. There is nothing in the treaty which forbids it; and if it ſhould be done, the other party cannot complain: It however becomes entitled to the benefit of the conceſſion.

But what right have we conceded to the Britiſh by the late treaty? France charges us with having conceded to them the right to take the goods of their enemies, out of our neutral ſhips; the right to conſider various articles as contraband, which are not ſo by the law of nations;

and the right, in ſome caſes, to conſider even proviſions as contraband.

As to the right of taking enemies goods out of neutral veſſels, it is not a right conceded to Britain by the treaty; the treaty ſays not one word about it, except that it ſhall hereafter become the ſubject of negotiation, and that if veſſels in the mean time, ſhall be ſtop'd on that account, they ſhall be releaſed with as little delay and inconvenience as poſſible: It is a right, indiſputably given by the law of nations; and which Britain, tho' we urged her to the utmoſt of our power, refuſed to ſurrender at preſent; the exerciſe of it, being of the greateſt importance to her in the preſent war: She however intimated that hereafter, it might perhaps be relinquiſhed. It was then agreed that things ſhould remain, for the preſent, on the footing whereon the law of nations has placed them, and that hereafter, negociations ſhall take place on the ſubject. Does this look like conceding a right! What more could we do; could we make war on Britain, to compel the relinquiſhment of this right? This no doubt was what France wiſhed; it has been the object of all her intrigues, all her threats, and all her complaints; but our government wiſely took a different reſolution.

That this right was given to Britain by the law of nations, we have the expreſs authority of Mr. Jefferſon, of every writer on the ſubject, and of France herſelf.

Mr, Jefferſon in his letter to Mr. Genet, of July 24, " 1793, ſays, " I believe it cannot be doubted, that " by the general law of nations, the goods of a friend " found in the veſſels of an enemy are free, and *the* " *goods of an enemy found in the veſſels of a friend, are* " *lawful prize.* Upon this principle, I preſume, the " Britiſh veſſels have taken the property of Freneh ei- " tizens found in our veſſels, and I confeſs I ſhould " be at a loſs on what principle to reclaim it. It is " true, that ſundry nations, deſirous of avoiding the " ineonvenienee of having their veſſels ſtopt at ſea, &c. " have in many inſtances introdueed by their ſpecial " treaties, another principle between them, that ene- " my bottoms ſhall make enemy goods, and friendly

" bottoms friendly goods; *but this is altogether the ef-*
" *fect of particular treaties, controuling in ſpecial caſes the*
" *general principles of the law of nations.* England has
" generally determined to adhere to the rigorous prin-
" ciple."—Afterwards in his letter of Auguſt 16th, 1793, to our miniſter in Paris, on the ſubject of Mr. Genet's conduct, he ſays, " We ſuppoſe it to have " been long an eſtabliſhed principle of the law of na-" tions, that the goods of a friend are free in an ene-" my's veſſel, and *the goods of an enemy lawful prize in* " *the veſſels of a friend.* We have eſtabliſhed a con-" trary principle, that free ſhips ſhall make free goods, " in our treaties with France, Holland, and Pruſſia, " it is our wiſh to eſtabliſh it with other nations; but " this requires their conſent alſo, and is a work of " time. *In the mean time they have a right to act on the* " *general principle*, (that enemies goods are prize on " board of neutral ſhips,) *without giving us or France* " *cauſe of complaint.*"

So ſay all the moſt reſpectable writers on the law of nations, with Vattel at their head, whoſe works, tho' treated with contempt by Mr. Genet, and called " worm-eaten volumes," are acknowledged as authority by all the nations of Europe.

France, however, has ſufficiently proved, not only by her declarations, but by her conduct, that ſhe pays no regard to the writers on the law of nations, or to the law itſelf; but perhaps ſhe will permit her own laws and public acts to be relied on as authority.

By her treaty with this country in 1778, ſhe expreſly relinquiſhed the right of taking enemies goods out of neutral veſſels: ſhe did the ſame thing by her treaty with England in 1786; but why ſhould ſhe relinquiſh this right, if ſhe did not believe herſelf to have poſſeſſed it? How could ſhe poſſeſs it but by virtue of the law of nations? That ſhe did believe herſelf to poſſeſs it, is moſt evident, from her marine laws, in one of which, paſſed in the year 1744, and in force when this treaty was made; it is provided, " that if there " are found on board of neutral veſſels, of whatever " nation they may be, merchandizes belonging to the " enemies of his majeſty, (which is the ſame as of

" France,) they ſhall be good prize, even though they " be not of the growth or manufacture of the ene- " mies country."

If then it be not permitted by the law of nations, to take enemies goods out of neutral veſſels, the ſtanding marine regulations of France, which remained of force from 1744 to 1778, little leſs than half a century, were a plain and direct infringement of that law.

And yet France alledges that we have conceded to Great Britain, the right to take the goods of her enemies out of our neutral veſſels!

She even pretends that the law of nations is altered in this reſpect, by what ſhe calls the principles of the modern law, introduced by the armed neutrality; and this modern law of nations ſhe ſays we have abandoned.

But what is this armed neutrality, by which the law of nations is ſaid to have been altered? What is this modern law of nations, by which the former ſyſtem is ſaid to have been ſuperceded?

During the American war, the Empreſs of Ruſſia publiſhed a declaration of the principles on which ſhe would protect her ſubjects in carrying on commerce. One of theſe principles was, " that free ſhips ſhould " make free goods." She invited the neutral powers to join with her in this declaration, and ordered her fleet to arm in ſupport of it. Several of them did join, particularly Denmark, Sweden, and the other northern powers, and they entered into a convention to ſupport each other. This is what is called the armed neutrality, which being no more than a partial agreement among certain ſtates, in the nature of a treaty, could make no alteration in the general law of nations. It could only, like any other treaty, modify that law with reſpect to the contracting parties themſelves.

Yet this agreement thus partial in its extent, and violated ſince by its authors themſelves, is the modern law of nations, for the eſtabliſhment and defence of which, the United States are required by France to engage, againſt the moſt obvious dictates of prudence, in a quarrel with the greateſt maritime power on earth.

If the charge of conceding to Britain, the right to take the goods of France out of our veſſels, a right which the law of nations gives her, and which, far from conceding, we did all in our power to prevail on her to relinquiſh, has appeared to be wholly untrue; that which relates to contraband, is equally void of foundation.

By the law of nations, there are certain goods which neutral nations cannot carry to one power at war, without their being good prize, if taken by the other; theſe goods are called *contraband*, they include, according to the beſt writers on the law of nations, "commodities "particularly uſed in war; ſuch as *arms*, military and "*naval* ſtores, *ſhip timber*, *horſes*, and even proviſions in "certain junctures;" and the prohibition reſts on this principle, that a nation engaged in war, has a right as a natural means of defence, to prevent its enemy as far as it can, from being ſupplied with thoſe things, which are peculiarly of uſe in carrying on the war; but tho' the law of nations enumerates the articles which ſhall be conſidered generally as contraband, and ſpecifies the particular caſes, in which even other articles may be added to the liſt; yet in this reſpect, as in all others, its operation as to particular ſtates, is liable to be reſtricted and modified by treaties between them. Two ſtates for inſtance, have a right by the law of nations, to conſider naval ſtores as contraband, and each to prevent the other from carrying them to its enemy, as far as this can be effected by capture and condemnation; but theſe two ſtates may agree mutually, to relinquiſh this right; and may make a treaty for that purpoſe; this treaty does not alter the law of nations, as to others; any more than an agreement between two men, that neither of them ſhould go along ſuch a road, would prevent other people from uſing it; it only reſtricts the operation of the law as to themſelves.

Treaties of this kind, are very uſual among nations: In ſome of them naval ſtores are agreed to be contraband; in others, not. In our treaty with France, made in the year 1778, the right to conſider ſhip timber and naval ſtores as contraband is mutually relinquiſhed. When we came to treat on this ſubject with Great Britain,

we were anxious to prevail on her to relinquish it also, but she refused: She insisted on her right by the law of nations, and we had no means of compelling her to recede; naval stores and ship timber therefore, notwithstanding our efforts to get them excepted, continue to be contraband between us and Great Britain, as they were before the treaty.

And yet one of the accusations of France against the United States, and against this treaty, is, that it has ceded to Britain the right of considering, naval stores as contraband! we are charged with giving to Britain, what she had before, and what we strove in vain to make her relinquish!

But, says France, if ship timber and naval stores were contraband before, why mention them in the treaty! Because it is useful, that the rules whereby the conduct of nations towards each other is to be regulated, should become as public, as precise, as little doubtful as possible; any merchant can read a treaty, though every one does not find leisure or opportunity to study the law of nations; for this reason, and a very good one it is, the enumeration was made.

The last accusation of France against this treaty, is, "That it concedes to Britain the right of considering "even provisions as contraband; and thereby becomes "manifestly injurious to France, whose supplies from "this country, it permits Britain to cut off," This charge is, if possible, even more void of foundation than the former.

The part of the treaty complained of, is the second clause of the 18th article; which instead of being a concession by us to Britain, is a very valuable concession by her to us; and far from offering any injury to France, must when it affects her at all, operate very much to her advantage; to prove this nothing more is necessary than simply to recite the clause; which is in the following words:

"And whereas the difficulty of agreeing on the pre-"cise cases, in which alone provisions and other arti-"cles not generally contraband, may be considered "as such, renders it expedient to provide against the "inconveniences and misunderstandings which might

" thence arise. It is further agreed, that whenever " any such articles, so becoming contraband, *according* " *to the existing laws of nations*, shall *for that reason* be " seized, the same shall not be *confiscated*, but the " owners thereof, shall be speedily and completely in- " demnified; and the captors, or in their default the " government under whose authority they act, shall " pay to the masters or owners of such vessels the full " value of all such articles; with a reasonable mercan- " tile profit thereon, together with the freight, and also " the demurrage incident to such detention."

To what cases do the regulations of this clause apply? to such, and such only, where provisions &c. may be regarded as contraband *by the existing law of nations*; are there any such cases? no maxim in the law of nations, is clearer or better established, than that there are such; and if there are not, then it is manifest that the article is perfectly harmless? and when provisions &c. are seized in such cases, what is to be done with them? instead of being confiscated, as they might be by the law of nations, they are to be paid for with a mercantile profit, freight, and damages for the detention: In which case is the risk to the merchant least! certainly in the latter, where his goods, if taken, are not, as in the former, to be condemned as prize, but paid for with profit and charges: which regulation, that of the treaty, or that of the law of nations, is the most beneficial to France? certainly that of the treaty; for where the risk is the least, the merchant will be most inclined to send her provisions; and on what account was this regulation adopted? to prevent those *misunderstandings* which might arise between us and Britain, from the difficulty of ascertaining the cases in which provisions are made contraband by the law of nations.

And yet France alledges, that we have ceded to Britain, the right of considering provisions as contraband! and yet this article so just in itself, so liberal on the part of Britain, so beneficial to us, and so useful to France herself, has been laid hold of by her, as a ground of quarrel! whence can proceed her displeasure at this article? the true cause of it is to be found in the word " misunderstandings" the tendency of this article, to

prevent "misunderstandings" between this country and Britain, has given umbrage to France; those misunderstandings which it has been her unceasing endeavour to foment, and her constant hope to blow up into a quarrel.

Hence too her anger at the treaty; hence those objections so manifestly unfounded; those flimzy pretexts, which throw so thin a veil over her real motives. She saw many causes of difference existing between this country and England; she saw those causes aggravated by ancient resentments, and recent injuries; and she looked, with confident and eager expectation, to the moment, which she thought fast approaching, when these differences should produce an open rupture: then should we become her associates in the war; then would our commerce be cut off from her rival; then, like Holland and Belgium, should we have been placed under the controul of her agents, our ports possessed by her ships, our towns seized by her troops, our country pillaged to supply her armies, and our resources exhausted to replenish her treasury. If we escaped the necessity of surrendering to her, as Holland has been compelled to do, important parts of our territory, as the price of what she would not have failed to call "her protection" we should have had much reason to rejoice in our good fortune.

These prospects, which she regarded as so certain, and contemplated with so much pleasure, were blasted by the treaty. By it she saw our differences composed, a mutual spirit of justice and conciliation restored, and the foundation of a friendly and beneficial intercourse solidly laid; hence her efforts to prevent its conclusion; hence her disappointment and rage, at its final accomplishment.

Thus manifestly unfounded, fellow citizens, thus plainly destitute of even plausible appearances, are the ostensible objections, thus unfriendly and mischievous to us are the real motives, from which the French government declares, "that she regards this treaty as a violation of that between her and this country, as equivalent to an alliance with Great Britain, and as a wilful and evident sacrifice on the part of the United

" States, of their connections with France, and of the " moſt eſſential and leaſt conteſted rights of neu- " trality."

Let us examine her next charge, the charge of having put a wrong and injurious conſtruction on ſome articles of her treaties with us.

Under this head ſhe complains, that contrary to the 17th article of the treaty of commerce, we have ſuffered our courts of juſtice to take cognizance of prizes brought into our ports by her armed ſhips; that in violation of the ſame article, Britiſh ſhips of war, which have made prize of her veſſels, have been allowed ſhelter in our harbours; that we have ſuffered Britiſh ſhips to arm in our ports; that we have prevented the ſale of her prizes, which ſhe contends is permitted by the treaty; that a proviſion of the conſular convention, which makes part of the treaties, has been rendered ineffectual by our neglect to paſs laws for enabling the French conſuls to enforce their decrees; that our judges and magiſtrates, in contempt of the fifth article of this conſular convention, have required the maſters of French ſhips, applying for warrants againſt abſconding ſailors, to produce in evidence the original roll of their crews inſtead of the copy, whereby the power given to French conſuls of cauſing the arreſt of ſailors who deſert, has been greatly impeded; and finally, that contrary to the 19th article of the treaty of commerce, we ſuffered a public ſhip of war, belonging to France, to be arreſted in one of our ports, for acts done on the high ſeas.

It is not of the deciſion of prize cauſes made by our courts, that France complains, it is the right to decide which ſhe conteſts. She alledges, that by the treaty of 1778, article the 17th, our courts are prohibited, in all caſes whatſoever, from taking cognizance of captures made under colour of a French commiſſion. This is the true point of diſpute. If the courts be thus prohibited, their deciſions however upright and legal in themſelves, muſt be improper. If on the contrary, they have a right, notwithſtanding the treaty, to take cognizance in certain caſes, of prizes made under pre-

tence of French commiſſions, they muſt be the judges when thoſe caſes occur, and no complaint can be admitted againſt their deciſions.

I have ſaid, "under the pretence and colour of a "French commiſſion," becauſe, if the allegation of the French government be well founded, our courts are precluded in all caſes where any thing called a French commiſſion is produced: they can take no cognizance, can enquire into nothing; conſequently they cannot even enquire whether the commiſſion be true or forged; whether the veſſel be in fact a privateer or a pirate.

To admit this pretenſion, would be to admit in the words of Mr. Jefferſon,* "that any armed veſſel of "any nation, might cut away our own ſhips, or thoſe "of perſons coming to trade with us, from the wharves "of Philadelphia, Charleſton, or New York, and by call-"ing them prizes, prevent our courts from redreſſing "the wrong." Can it be conceived, that any nation would cede ſuch a right by treaty? The ſtipulations on this ſubject between us and France are mutual. Can it be conceived, that France has intended to cede, or now would permit ſuch a right to us? We know perfectly well that ſhe would not.

The 17th article of our treaty with France indeed ſtipulates that the prizes made on its enemies by one party ſhall not "be arreſted or ſeized when they come "to enter the ports of the other; nor ſhall the ſearch-"ers or other officers of ſuch ports ſearch ſuch prizes, "or make any examination concerning their lawful-"neſs." But we contend that the prizes here intended are prizes made on the high ſeas, without the juriſdiction of either party; and not by its people, or by veſſels equipt or armed in its ports. We contend that notwithſtanding this ſtipulation, we have a right to protect our own veſſels and thoſe of our neighbours, within our territories, and the juriſdiction of our laws; that we have a right to prevent veſſels from being armed and fitted in our ports for cruiſing againſt nations with whom we are at peace, and to reſtrain our citizens from

* See his letter of Auguſt 93, to Mr. Morris at Par.

carrying on war againſt thoſe nations under a foreign commiſſion. Theſe rights we contend, we ought to enforce, by reſtoring property taken in contempt of them whenever it comes within our power. This and this alone our courts have done. In theſe three caſes alone have they taken property from French captors, and reſtored it to the owners: where it was taken, either within the juriſdiction of our Laws; by our own citizens, under French commiſſions; or by veſſels fitted out, armed, or equipped for war in our ports.

Of this France complains. Her Miniſter had armed and commiſſioned privateers in our ports; her armed veſſels had ſeized ſhips, not only within a league of our coaſt, to which diſtance, by the Law of Nations, the juriſdiction of every country extends, but even in the Delaware: our citizens had taken French commiſſions, and under them made prize of veſſels belonging to nations at peace with us. When prizes, made in either of theſe three caſes, were brought into our ports, the courts interfered, and after trials in which the facts were proved, reſtored the property to the former owners. It is by this interference, ſo neceſſary for maintaining our neutrality and the independence of our government, that France alledges we have broken the treaty.

But this interference is juſtified not only by neceſſity, but by the Law of Nations, and their univerſal practice. To theſe, however, France has ſhewn that ſhe pays very little regard; and to diſcuſs the points would lead to too great a length. But fortunately, we are ſaved the trouble, ſhe has herſelf decided the queſtion in our favour. Her own laws now in force, and her own practice at this moment, ſupport our interpretation of the treaty. Let us now hear France againſt herſelf: her laws againſt her complaints.

A commentary on the marine laws of France, drawn up by an officer of the government, and firſt publiſhed under its authority in 1776, ſays, "that as far as the "diſtance of two leagues, the Sea, according to the rule "univerſally acknowledged, is under the dominion of "the ſovereign of the neigbouring coaſt; the effect of "which dominion is that within it, every ſovereign "has a right *to protect foreign commerce*, as well as to

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" fecure his own territories from inſult." How is foreign commerce to be protected within our dominion? Certainly by reſtoring property taken there. In extending our dominion only one league from the coaſt, we have gone only half as far as France goes herſelf: and yet ſhe accuſes us of breaking the treaty, becauſe we do not ſuffer her privateers to take veſſels on our ſhores and even in our rivers.

The Marine ordinances of France, which are now in force, and which her commiſſions to privateers require to be obſerved, " prohibit all her ſubjects from taking " commiſſions from foreign kings, princes or ſtates, to " arm veſſels for war, or to cruiſe at ſea under their " colours, without expreſs permiſſion, under pain of " being treated as pirates." " Theſe rules," ſays the commentary, " have no exception; they extend to all " commiſſions from friends or allies, as well as neutrals, " and include all Frenchmen, whether they dwell in " France or in foreign countries; for Frenchmen are " not leſs Frenchmen for having gone to live in foreign " parts." ‡

Thus, what has been long practiſed and is now eſtabliſhed in France, we have done, and no more; and yet ſhe complains. We have forbidden our citizens to take commiſſions from her, againſt nations with whom we are at peace, and as the only method of enforcing this prohibition, we have reſtored property taken in contempt of it; and in all this, we have preciſely practiſed her own rules. Yet ſhe charges us with breaking the treaty.

The whole ſcope and tenor of her laws forbid veſſels under foreign commiſſions, from arming in her ports, againſt nations in peace with her. This we have alſo forbidden, after her example; and we have enforced the prohibition, by ſtopping and diſarming the veſſels when in our power, and by reſtoring the property which they had taken and brought into our country. And this France alledges as a breach of the treaty.

She next accuſes us of another infraction, in ſuffering ſhips of war of her enemies, which have made prizes on her citizens, to find an aſylum in our ports.

‡ See Valin vol. 2. page 2[illegible].

The treaty in article 17th provides, that, " no ſhelter " or refuge ſhall be given in the ports of either party, " to ſuch as ſhall have made prize of the ſubjects, peo- " ple or property, of the other" and the 22d article forbids " foreign privateers, in enmity with one party, to " ſell or exchange their ſhips or prizes, in the ports of " the other."

Now it is clear, that nothing is expreſsly forbidden here, but the ſale or exchange of prizes, and the entrance of ſhips that had taken prizes; the prizes themſelves, according to the literal conſtruction, might be ſent in, tho' not ſold; and this would have been a great advantage to the captors: This advantage the United States ſuppoſed, that the treaty did not intend to give to the enemies of France.

Beſide if no Britiſh ſhip of war, which had ever taken a French prize, could be admitted into our ports, how was the fact to be eſtabliſhed; the Britiſh might deny the fact: could we take it for granted, becauſe aſſerted by the French; or muſt we in every caſe, before we could ſend off the veſſel, inſtitute a ſuit to decide whether at any time, or in any part of the world, ſhe had taken a French prize? This it is evident, would have been a ſubject of endleſs and vexatious contention.

Our government therefore adopted a conſtruction more beneficial to France, more conformable to the ſpirit of the treaty, and much eaſier of execution. Inſtead of admitting prizes made on France by her enemies, and excluding all veſſels which were charged with having made them, it reſolved to exclude the prizes in all caſes, and to admit all ſhips of war except ſuch as might attempt to come in *with their prizes*, thoſe were to be, and have been excluded.

France complains of this conſtruction, and calls it a breach of the treaty; ſhe does not recollect that if we were to adopt her conſtruction, and follow the letter of the article, we ſhould do her a much greater injury, by admitting all the prizes which her enemies might think fit to ſend in.

Another breach of the treaty with which ſhe charges us, is that we have permitted Britiſh ſhips to arm for war in our ports.

This charge is directly contrary to fact, the ſtricteſt orders have always exiſted againſt ſuch armaments, and every attempt to make them, has been prevented as ſoon as known to the government; two or three inſtances have been mentioned, in which veſſels armed and went out, before the government, or even the French miniſter or conſuls, had information of it. But what could be done after the veſſels were gone? had they returned, they would have been ſeized; and their prizes, had they come within our power, would have been reſtored to the owners. But neither of thoſe caſes happened; and I would aſk again, what could be done after the veſſels were gone? Go to war, France would have ſaid, to revenge the injury; this was her aim, and this ſhe did ſay, over and over, tho' not in expreſs words. But if acts like this, had been a proper reaſon for going to war, we ought to have attacked France herſelf long ago; for ſhe has attempted ten armaments, where the Engliſh have attempted one; and ſeveral of them, moreover, her miniſter ſent to ſea, againſt the expreſs orders of the government, and in contempt of its authority.

As to the ſale of her prizes in our ports, for preventing which, ſhe charges us with another infraction of the treaty, ſhe has by the treaty no ſuch right: there is not one word ſaid about her prizes; except that ſhe may bring them in and carry them away. This ſhe ſays, is the ſame thing as a permiſſion to ſell; but common ſenſe, and the plain meaning of words, ſay otherwiſe. Her own laws alſo, ſay otherwiſe; which notwithſtanding this treaty with us, expreſsly forbid the ſale of foreign prizes, in her ports.

We did indeed for a time, permit the ſale of her prizes in this country, as a matter of ſpecial favour; but we ſoon found this permiſſion productive of many ill effects; our ſea ports having became the reſort and ſtation of privateers, whoſe crews are generally among the moſt profligate of mankind, were converted into ſcenes of riot; many diſorders took place, our citizens were drawn off from their regular induſtry, and by the introduction of goods, under pretence of prize, frauds on the revenue began to be practiſed. The permiſſion therefore,

was very properly revoked; the only subject of regret is, that it ever was granted.

The consular convention, comes next into view: this convention makes part of the treaties between us and France, and she alledges that we have infringed it in two points.

The 12th article provides, that the consuls of France and the United States, shall possess the power of deciding, respectively, all differences which may arise between the people of one country in the territories of the other. We have never hindered the French consuls from deciding all such controversies between French citizens; but the French government has lately found out, that we have passed no law to enable those consuls to enforce their decisions. It might be asked, why has this matter rested in silence so long? why has nothing been heard of this complaint till now; although the fact complained of, has existed for more than eight years? We might remark on the extraordinary and unprecedented nature of the complaint itself; whereby, contrary to universal usage and the first principles of national sovereignty, a government is required to put compulsory process into the hands of persons not amenable to its laws, for the purpose of enforcing decisions not under the controul of its judiciary authority: But it will be sufficient to observe, that France herself has never passed, or been required by us to pass, any such laws as she demands from us; and that it most evidently appears, from the convention itself, that no such laws, were ever intended to take place in either country; since the decrees of the consuls are to be enforced against the parties by their own governments respectively; to whose courts the right of appeal, and of course the power of reversing, confirming, and executing the decrees, is expressly and solely reserved.

Another article of this convention authorises the consuls of each nation respectively, to cause the deserting sailors of their nation, to be arrested and delivered to the captains, on application to a magistrate of the country, and the production of proof. The French government has lately found out, that our magistrates when applied to for the arrest of their sailors, require

the original articles to be produced. Thoſe articles contain the agreement of the ſailors and are ſigned by them. They remain on board the ſhip, and are the only authentic document by which any diſpute between the captain and ſailors can be decided. It is an invariable and moſt excellent maxim of our laws, that no copy of a paper can be produced in evidence, eſpecially where life or liberty is to be effected by it, unleſs the paper itſelf be proved to be deſtroyed, or in the power of the other party. In conformity to this maxim, our majeſtrates very properly require, that the original articles themſelves ſhould be produced to prove that a man belongs to the ſhip, before they will arreſt him for deſerting from it; * of this the French government, after eight years ſilence, has at length bethought itſelf to complain. It calls this a breach of the conſular convention, and alledges, that copies of the articles, certified from the conſuls office, ought to be received; although it is moſt evident from the ſlighteſt view of the conſular convention, that the copies whereof it ſpeaks, are wholly of a different kind, and to be uſed for a different purpoſe.

I have explained theſe two points thus particularly, not from a belief that they are of the leaſt weight or importance, even in the eyes of France herſelf; but to ſhew with what eagerneſs ſhe catches at the moſt futile accuſations againſt this country.

The laſt accuſation under the head of breaking treaties, is, if poſſible, more extraordinary than any of the former. France accuſes us of having broken the 19th article of the treaty, by permitting a public ſhip of war belonging to the republic, to be arreſted in one of our ports for an act done on the high ſeas. Would it be believed, that this ſhip, arreſted by proceſs of the courts, at the inſtance of a citizen, and for a moſt reprehenſible act, had been actually releaſed by the interference of the executive, on the expreſs ground, that being a public ſhip of war, ſhe was protected by the treaty? yet ſuch is the fact. Complaint being made of

* The convention itſelf alſo expreſly requires, that the original roll, or regiſter, ſhould be produced.

her arreſt by the French miniſter, the executive directed the attorney general to file the neceſſary proceedings in the court for obtaining her releaſe. He did ſo, and after hearing the caſe ſhe was releaſed; but as the forms of the court, the priority of other buſineſs, and the courſe of proceedings, did not admit of a deciſion ſo ſpeedy as Mr. Adet deſired, he refuſed to accept the veſſel after ſhe was releaſed, and declared that he would abandon her to the government, and claim damages. Theſe damages have never been refuſed, nor even demanded; and yet becauſe the preſident would not undertake at the inſtance of a foreign miniſter, to overrule the courts of juſtice, whoſe independence is expreſly ſecured by the conſtitution, becauſe he would not with a ſtrong hand arreſt their proceedings, and in open defiance of the conſtitution and the laws, wreſt from their hands the object of their deliberations; we are accuſed of having broken our treaty with France! we are charged with an arreſt, which inſtead of ſanctioning; we cauſed to be removed; we are charged with breaking a treaty by an act which we redreſſed!

Such are the grounds whereon for four years together, and in terms the moſt diſreſpectful, we have been unceaſingly charged with violation of treaties!

But we have refuſed, ſhe ſays, to enter into a new and more extenſive treaty with her. She ſays, that under "the moſt frivolous pretexts,"* we have evaded all her advances to a new negociation. This alſo is an accuſation againſt us, made by the miniſter Genet, and which Mr. Adet has renewed and enforced.

But had we not a right, without offending France, to decline a new treaty if we thought it would not ſuit us? We already had a treaty; was it a ground of quarrel that we were ſatisfied with it? Why was a new treaty propoſed? For our benefit; if ſo we were the proper judges how far it was beneficial. For the benefit of France? In that caſe we certainly had a right to decide, how far the advantage which ſhe deſired was

* See Mr. Adet's note.

compatible with our own intereſts. Who ever heard, that to decline an advantageous bargain ourſelves, or refuſe one to another perſon, was a cauſe of offence?

The truth however is, that we did not decline this negociation; we did not wiſh it indeed, but our government was willing to hear what France had to ſay on the ſubject, and frequently expreſſed its willingneſs. The propoſition was firſt made by Mr. Genet, in May 1793, but Mr. Jefferſon, at that time ſecretary of ſtate, informed him, that the buſineſs could not be entered on immediately, becauſe the ſenate was not in ſeſſion. He renewed the ſubject the September following, but before that time he had behaved ſo much amiſs, that the government had requeſted his recall, and did not think fit to communicate with him, except on matters of immediate and preſſing neceſſity; it therefore politely waved the buſineſs, with an aſſurance "that it "ſhould be conſidered, with all the reſpect and in-"tereſt which its object neceſſarily required."

His ſucceſſor, Mr. Fauchet, never mentioned the new negociation; the next that we heard of it was from Mr. Adet, in June 1795. The preſident immediately met his advances, and directed the ſecretary of ſtate to enter on the negociation without delay. He informed Mr. Adet of this, and propoſed a mode of proceeding; Mr. Adet promiſed to enter on the buſineſs, but he poſtponed it from time to time, on the plea of indiſpoſition or buſineſs, and it was finally *dropt by himſelf.*

And yet Mr. Adet ſays, "that his offers to treat were "evaded," under the moſt frivolous pretexts."

But although our government was willing, and even deſirous to hear what France had to propoſe on the ſubject of a new treaty, it could not have agreed to one on the terms which ſhe held out, without ſacrificing the beſt intereſts of this country.

Thoſe terms are to be found in Mr. Genet's inſtructions, by which Mr. Adet, when preſſed on the ſubject, declared that he alſo was to be guided; and from thoſe inſtructions it appears undeniably, that our joining France in the war, engaging to defend her lands, and

forming an alliance offenſive and defenſive, were to be eſſential conditions of the new treaty; an extenſion of commercial priviledges with the iſlands, was the lure thrown out to us.

The inſtructions begin with declaring, " that the " executive council have highly approved the overtures " made to a former miniſter, by the American go- " vernment, on the means of renewing and conſoli- " dating the commercial treaties between the two " countries, and are diſpoſed to ſet on foot a new ne- " gociation on thoſe foundations—that they do not " know but that ſuch a treaty admits a latitude *ſtill* " *more extenſive* in becoming a *national agreement*, in " which two great nations ſhall ſuſpend, (that is ac- " cording to the French expreſſion, ſhall cloſely unite) " their *political* and commercial intereſts, and eſtabliſh " a mutual underſtanding *to befriend the empire of liberty* " *wherever it can be embraced to guarantee the ſovereignty* " *of the people, and to puniſh thoſe powers who ſtill keep up* " *an excluſive colonial and commercial ſyſtem*, by declaring " that their veſſels ſhall not be received in the ports of " the contracting parties." " Such a pact, they add, " will quickly contribute to the general emancipation of " the new world.

This " general emancipation of the new world," we know was to include the liberation of the ſlaves, whom this very French government ſoon after ſet free in its iſlands.

" Beſides the advantages," continue the inſtructions, " which humanity in general will draw from the ſuc- " ceſs of ſuch a negociation, *we* (the French) have at " this moment, a *particular intereſt* in taking ſteps to act " efficaciouſly againſt England and Spain, if, as every " thing announces, thoſe powers ſhould attack us. In " this ſituation of affairs, we ought to *excite by all* " *poſſible means, the zeal of the Americans*, who are as " much intereſted as ourſelves in diſconcerting the de- " ſtructive projects of George third; the executive " council has room to believe, that theſe reaſons, in " addition to the *great commercial advantages*, which " we are diſpoſed to concede to the United States, " will determine their government, to adhere to all " that citizen Genet ſhall propoſe to them on our

" part—and the executive charges him, *in expectation* " *that the American government will finally make a com-* " *mon cauſe with us*, to take ſuch ſteps as exigencies " may require."

Hence it manifeſtly appears, that we were to make a *common cauſe* with France for her intereſt, againſt Great Britain and Spain, and that *commercial advantages* were to be our wages. Subſequent parts of the inſtructions are ſtill more explicit.

" The Executive Council recommends it eſpecially " to Citizen Genet, to ſound early the diſpoſition of " the American Government, and to make it (the " guarantee of their Iſlands) a condition *ſine qua non* of " their free commerce with the Weſt Indies, ſo eſſen- " tial to the United States. It nearly concerns the " peace and proſperity of the French Nation, that a " people, whoſe reſources increaſe beyond all calcu- " lation, and whom nature has placed ſo near our rich " colonies, ſhould be intereſted, by their own engage- " ments, in the preſervations of theſe Iſlands. Citizen " Genet will find the leſs difficulty in making this " propoſition reliſhed in the United States, as the " great trade which will be the reward of it, will " *indemnify them ultimately* for the *ſacrifices* which they " may make in the outſet, and we ſhall immediately " put ourſelves in a condition to fulfil our engage- " ments, by ſending to the American ports a ſufficient " force to put them beyond inſult, and to facilitate " their intercourſe with the Iſlands and with France."

I have been the more full and particular in citing theſe inſtructions, becauſe they not only prove, inconteſtibly, what were to be the conditions of the new treaty propoſed to us by France, but alſo that her project, from the beginning of the war, was to draw us into it. We ſhall preſently ſee that altho' ſhe recalled Mr. Genet, ſhe neither diſapproved his meaſures nor abandoned this project.

That the refuſal of our government to enter into a new treaty on theſe terms, ſhould have been matter of diſpleaſure and vexation to France, is perfectly natural; becauſe it diſconcerted one of her moſt favorite ſchemes: but none of its meaſures have either merited or receiv-

ed, more warmly or more univerſully, the approbation and thanks of this country.

And yet France has made it one of her charges againſt us, that we have evaded this new treaty "under "the moſt frivolous pretexts."!

She has gone further. She has accuſed us of having "cluded her friendly offers of aſſiſtance in our nego- "ciations with Algiers."

Here again I would aſk, whether we had not a right to decline her mediation in this buſineſs, if we thought fit? Are we to make no treaties without not only conſulting France, but employing alſo her aſſiſtance? ſhould one of my neighbours offer to interfere in compoſing a difference between me and another, ſurely I might decline his interference without giving him cauſe of offence? He might think it very unfriendly, or very unwiſe; but ſurely it would not authorize him to quarrel with me.

The truth however is, that far from "cluding" this friendly offer of France, we ſhewed the utmoſt readineſs, and even inclination, to avail ourſelves of it to the utmoſt. Our miniſter in Portugal, to whom the Algerine negociation was entruſted, went firſt to Paris, "in order to engage the aſſiſtance of the French go- vernment," in the mean time, he ſent an agent immediately to Algiers to pave the way; and as the Algerines are known to be a very fickle, capricious people, difficult to be managed, and capable of being dealt with at particular times only, he furniſhed this agent with proper powers, that he might avail himſelf of any favourable moment which ſhould chance to offer; ſuch a moment did offer very ſoon after his arrival: he ſeized it, and concluded a treaty, diſagreeable indeed, but far better than none, and more favourable than Algiers has lately, if ever, made with any other country.

Ought he to have loſt this moment in waiting for the aſſiſtance of France? Before the orders from France could arrive, the opportunity might have paſſed away, never to return.

Beſides; our agent, who concluded the treaty, declares that neither France, nor her conſul, had the leaſt intereſt with the Algerine government at that time. It was for this reaſon, he ſays, that he did not requeſt the

aſſiſtance of the French conſul; which would have only injured the cauſe. But he applied for this aſſiſtance in negociating with the other Barbary States, where the French were ſuppoſed to poſſeſs influence.

So much for this complaint: the bitterneſs with which it is urged, gives ſome ground to ſuſpect, that her anger does not ariſe from our having made a treaty without her aſſiſtance, but from our having made one at all; and that her interference was intended to prevent, not to promote the object. It is very difficult to believe that the freedom of our flag, and the extenſion of our commerce, in the Mediterrancan, can be deſirable objects to her, or to any other commercial power.

She charges us further, with having authoriſed, or permitted, various infractions of our neutrality by the Engliſh, or in their favour.

One of theſe infractions is the impreſſment of our ſeamen by Britiſh ſhips of war; we have not adopted, ſhe ſays, or at leaſt *have not made known to her*, any efficatious meaſures for repelling this violence; whereby her enemies are ſuffered to ſupport and increaſe their maritime forces, from among our citizens.

In the firſt place, we have adopted ſuch meaſures as we judged moſt efficacious for this purpoſe; and thoſe meaſures being public, were known to France. Our government has, at all times, reſiſted the impreſsment of our ſeamen, by every means ſhort of hoſtility; and early in the year 1796, before this complaint was made, Congreſs paſſed an act, for the ſole purpoſe of protecting and relieving American ſeamen from impreſſment. Theſe meaſures indeed, were not ſuch as France wiſhed, and probably hoped to ſee adopted; for they were calculated to produce the effect *without hoſtility*: but they were ſuch as our own government, to whom, and not to Francc, we have entruſted the protection of our citizens, conſidered as the moſt adviſable.

As to our not having informed France of theſe meaſures, it is not true; ſhe did not need information of a public law, which was printed in the newſpapers; and ſhe knew that other meaſures were purſued, tho' ſhe ſaid that they were not *efficacious*; we well know what

we means by *efficacious* meafures; but on this point, we and not France, were the proper judges.

And let me be permitted to aſk, what obligation we were under to inform France of our meafures? Is ſhe to preſcribe to us in what manner our citizens are to be protected! If under pretence, that the *inefficacious* manner in which we conduct our affairs, operates to her injury, ſhe may direct and controul us, there is an end of our independence. This complaint is of a piece with that of Mr. Genet againſt the Preſident, "for refuſing to convene Congreſs at his inſtance."

We have alſo, ſhe ſays, reſtrained our citizens from receiving commiſſions from her, or ſerving on board of her armed veſſels.

We have indeed done ſo, and it was our duty; a duty enjoined by our own peace and ſafety, and by the impartial juſtice which we wiſhed to obſerve towards other nations. We never objected to our citizens going to France, and engaging in her ſervice, which many of them did; but we objected to their receiving commiſſions from her in our own country, or entering on board of her privateers, to rob thoſe who were coming peaceably to trade with us. This was conformably to prudence, as well as juſtice; and it was, moreover, what we had ſtipulated with her to do, and to the utmoſt of our power had done, in the caſe of her enemies.

It is worth while to remark the inconſiſtency of theſe two complaints. She firſt quarrels with us, becauſe we could not prevent, in her own words "the marine "of England from being augmented by our ſeamen," and in the ſame breath, ſhe accuſes us of infringing the laws of neutrality, by prohibiting our ſeamen to ſerve in her privateers! We forbad both, and as far as we could, we prevented both; but unfortunately, it was not always in our power to prevent either; and yet ſhe quarrels with us, for not preventing, even by hoſtility, in the caſe of her enemies, the ſame thing, which ſhe alſo quarrels with us, for having attempted to prevent in her own caſe! ſuch is the juſtice, moderation, and impartiality of France!

We are alſo charged with permitting the Engliſh to violate our neutrality, by capturing French property on

board of our ſhips; and even American property when bound to, or from the ports of France.

As to the capture of French property on board of our ſhips, it has already appeared to be a right which Britain poſſeſſes by the laws of neutrality. How then can the permiſſion of its exerciſe be a breach of them? But we never did willingly permit its exerciſe. We acquieſed in it indeed, becauſe we knew that the right exiſted, which the Engliſh, notwithſtanding all our endeavours, could not be induced to relinquiſh. Had it been in our power to induce her, we moſt certainly would have done ſo; for of all things, next to keeping out of the war, it was what we moſt deſired, and what would moſt effectually have promoted our intereſts.

But France ſays, that our meaſures for this purpoſe, were not *efficacious*; and when ſhe ſays ſo, we well know what ſhe means. The inſtructions to Mr. Genet, and the whole tenor of her conduct, leave no doubt on that point.

With reſpect to the capture of American property, bound to or from French ports, we were ſo far from *permitting* it, that after remonſtrating in the firmeſt manner, tho' not in terms of outrage and inſult, we demanded ſatisfaction, and armed to enforce it; and had not the meaſure been diſcontinued, and reparation agreed on, there is no doubt that war would have been the conſequence. That we accepted this reparation, that we did not fall into her views, *by making war in the firſt inſtance*, is the true cauſe of offence which we have given to France.

Another breach of neutraltiy with which ſhe charges us, is "that we ſuffered the Britiſh to declare her "Iſlands in a ſtate of blockade." !

But I would aſk, how we were to prevent this declaration? Or how we were bound to prevent it, had we been able? France does not pretend that we were bound by treaty; the treaty of alliance indeed, ſtipulates for a guarantee of her iſlands; but the treaty of alliance was purely defenſive, not offenſive; and it being perfectly certain, that ſhe was the aggreſſor in the war with England, the guarantee in this inſtance could not operate. But we were bound, ſhe ſays, by

the laws of neutrality. How! can the laws of neutrality oblige us to defend the poſſeſſions of our neighbours? This would amount to ſaying, that neutrality required us to enter into the war.

We know that by the law of nations, proviſions cannot be carried to a blockaded place. The Britiſh declared, "that certain French iſlands were blockaded, "and that all perſons attempting to carry proviſions to "them, ſhould be dealt with *according to the law* of "*nations*." While they adhered to this declaration, and "dealt with us *according to the law of nations*," we had no right to complain; whenever, under colour of the declaration, they infringed the law of nations, they have engaged to make reparation, and are purſuing the moſt effectual meaſures for fulfilling the engagement.

In the mean time, as theſe blockaded iſlands were prevented from receiving proviſions, France ſuffered an injury; but it was an injury which we could not prevent; for we had no fleet to drive away the Engliſh ſhips which formed the blockade. Even had we poſſeſſed a fleet, it would not have been incumbent on us to engage in a war, merely to ſave one of our neighbours from an inconvenience. We alſo ſuffered an injury; reparation for which we demanded, and are to receive.

Her next complaint, with which the long catalogue is terminated, reſts on an outrage offered to Mr. Fauchet, a former French miniſter, by a Britiſh ſhip of war in the waters of the United States; and which, ſhe ſays, we have ſuffered to paſs with impunity.

The outrage offered to Mr. Fauchet, was an attempt to ſeize his perſon and papers, on board of a veſſel in which he had taken his paſſage from New York to Rhode-Iſland. The attempt was made by a Britiſh ſhip of war, lying near Newport in Rhode-Iſland. The veſſel was ſtopt, and the trunks of Mr. Fauchets attendants were ſearched, he and his papers eſcaped, becauſe having been informed of the deſign, he went aſhore, and proceeded to Newport by land: perceiving that they had miſſed their prey, the Britiſh party releaſed the veſſel and thoſe on board.

When the President heard of this daring insult to our country, he felt and expressed a proper indignation; but as he received the information from one party only, prudence no less than justice, required that before he acted, he should hear the other side. He accordingly directed enquiries to be made; having fully ascertained the facts, he ordered the British man of war to depart immediately from our harbours, and directed that in case of her disobedience for more than forty eight hours, all intercourse between her and the country would be cut off. Our minister at London was instructed to complain against the Captain, and demand his punishment; this was done, but the Captain with his ship, was in Nova Scotia, from whence he went to the West Indies. He lately returned to England, and as soon as it was known, the minister was ordered to renew his demand.

What could we do more? we could not seize him on board of his ship to punish him? we could not follow him to Nova Scotia, the West Indies, or England to punish him. If the British government should neglect to punish him, shall we declare war against them to avenge this injury? even France perhaps might allow, that this would be to buy vengeance at too dear a rate.

This is what France calls "suffering the insult to her minister to pass with impunity!" and yet much greater lenity was exercised, when her consul at Boston, with an armed force, rescued a vessel from the officers of justice; and when one of Mr. Genet's illegal privateers resisted the custom-house officers, and the militia sent by the President to arrest her in the Delaware, and proceeded to sea in defiance of his authority.

Such my fellow-citizens, is a true picture of French grievances! Such are the injuries for which we have been subjected, during four yeass, to the importunate and insulting remonstrances of three successive ministers! for which we have been accused of making "an "*insidious* proclamation of neutrality," of "sacrificing "France to her enemies, and *prostituting* our own "rights to Great Britain," of permitting "by a *perfi*-"*dious complaisance*, the English to violate rights which

" our *honour* and intereſts required us to defend," of " preſenting to England under the cloak of neutrality, " a poignard to cut the throats of our faithful allies," of " partaking in the tyrannical and *murderous* rage of " Great Britain, and joining with her to plunge " France into the horrors of famine," ¶ and of " co- " vering our proceedings with the veil of *diſſimulation*."

For ſuch injuries, it is, that we have been inſultingly told of the " cold impartiality of our government," of our " inability to maintain our treaties,"* of having " abandoned our neutral ſituation through an *exceſſive* " *complaiſance* for England," of " amuſing the French " by *ſpecious correſpondences* to cloak our own inactivi- " ty," of making " forced conſtructions of our trea- " ties, and endeavouring to throw a veil over the mea- " ſures of the Engliſh government," and that the reſpectable and heretofore unimpeached proceedings of our courts, have been termed " unjuſt chicaneries."*

Theſe are the injuries, on account whereof, the Preſident has been contemptuouſly charged with promulgating *philoſophical principles*; the expreſſion applied by France to that proclamation of neutrality, which ſhe, on another occaſion, terms *inſidious*, but which has received the ſanction of both Houſes of Congreſs, and the univerſal approbation of the American people: that the government has been accuſed of acting " under an " *unknown* influence, and of being guided by *foreign* " impreſſions;" that we have been upbraided with " a " cowardly abandonment of our friends," that we have been told " that we had no flag, no regard for our laws, " no reliance on our ſtrength, and no ſentiment of na- " tional dignity," that France by the mouth of her miniſter has ſaid to us, " If we have been deceived, if you " are not able to maintain the ſovereignty of your peo- " ple, ſpeak; we ſupported it while we were ſlaves,

¶ See Mr. Adet's notes. and his letter of September 29, 1795.

* See Mr. Fauchet's letters of May 2, and June 8, 1795.

It is obvious, that his expreſſions, tho' more guarded than thoſe of his ſucceſſor, convey the ſame offenſive and inſulting meaning.

" and we shall know how to render it respectable, now " that we are become free." †

It is, in fine, for such injuries as these, that our treaty with France has been expressly violated, that swarms of privateers have been let loose upon our commerce, that our property to the amount of many millions of dollars has been plundered, that hundreds of our ships have been seized and condemned, multitudes of our sailors thrown into jails and prison ships, that our seamen who may be found in British ships of war, altho' brought there by *compulsion*, are declared liable to be condemned as pirates; ‡ and, to fill up the measure of outrage, that a messenger of peace and conciliation, a minister expressly " sent to explain our conduct, to " remove " misunderstandings, and restore harmony," has been contemptuously driven away, without a reception or a hearing!

Having taken this view of the injuries complained of by France, permit me now fellow citizens, to make some remarks on her pretensions; permit me to trace a little the consequences of a compliance with her demands; the nature and extent of the terms to which she requires us to submit.

This submission, it must be remembered, is to precede any explanation on our part, or even the reception of a minister. The directory told gen. Pinckney, through Mr. Munroe, that France would receive no minister plenipotentiary from the United States, till all the injuries whereof she had complained and of which she had a right to expect redress, should first fully receive it

The first of these injuries is the British treaty, which she declares to be a violation of her's, and a departure in us from the principles of neutrality. This injury must be redressed; therefore the treaty, though sanctioned by every branch of the government, and executed in part, must be broken: the posts which have been given up under it, must be re-delivered; the prospects of reimbursement for their losses which it affords to

† Those are the words of Mr. Genet, in his letter of July 25, 1793. See also his letters of June 8 and 22, and of July 9, in the same year.

‡ This is by a late decree of the Directory.

our merchants, muſt be renounced, and the commiſſioners now employed in deciding on their claims, muſt be recalled. In ſine, our whole diſpute with Great Britain muſt be renewed under circumſtances of the higheſt aggravation, and we muſt be left to ſettle it by a new treaty under the direction of Franee, or by a war in her alliance.

Without all this it is moſt evident, that the injuries of which France complains under this treaty, cannot be redreſſed, and ſhe requires them to be redreſſed before ſhe will even hear our explanation.

She next complains againſt the deciſion of our courts. The conſtructions put upon our treaties and upon the laws of nations by our courts, ſhe complains of as injuries, which, like the others, muſt be redreſſed before ſhe will liſten to us.

Therefore the deciſions of our courts, wherever ſhe complains of them, and that is in every eaſe where they have been adverſe to her elaims, muſt be reverſed. How is this to be done? Thoſe deciſions have been carried by appeals into the ſupreme courts of the Union, and there eonfirmed. The judieial power is independent of the legiſlative and executive by the expreſs terms of our conſtitution, which to render the courts more completely independent, provides that the judges ſhall not be diſplaced, like other officers, at the pleaſure of the preſident, but ſhall hold their places till turned our by impeachment. In the mean time there is no power in the government by which their deciſions can be altered. Franee, however, informs us, that they muſt be altered before ſhe will liſten to us.

It is plain therefore, that in order to ſatisfy her, we muſt violate our conſtitution in its moſt valuable part, the independence of the judicial power.

And this is not all, we muſt plaee theſe eourts hereafter under the controul of her miniſter, and reſtrain them from taking cognizance of any cauſes which he may pronounee improper for their interference; for Franee eomplains not only of the deciſions of our courts, but of their creating delay to her privateers, by taking cognizance of eaſes which have finally been deeided in her favour.

Therefore our courts having iſſued proceſs to bring a cauſe before them on the complaint of our citizens, muſt diſmiſs it on the orders of a French miniſter. Should they refuſe to diſmiſs it, what then is to be done? The executive muſt interfere with a ſtrong hand and over-rule them, and this not from his own judgment, but at the inſtance of a French miniſter. Thus the public force of our country muſt be placed in the hands of a foreign agent, to be employed in compelling our courts of juſtice to ſubmit to his orders.

This is the very loweſt ſtage of dependence and degradation; and it is manifeſt, that this muſt be done before the demands of France can be ſatisfied; for there is no other method of preventing that interference of our courts whereof ſhe complains as one of her greateſt injuries.

The legiſlature muſt alſo ſhare in this degradation. It muſt be compelled to repeal one of its laws; for one of them, the act of June 5, 1794, unfortunately confirms the principles which had been adopted by our courts and by the executive. This act accordingly is placed by France in the catalogue of her injuries, and muſt be repealed.

Therefore the legiſlature muſt hereafter aſk France what laws it ſhall enact, and what, being already enacted, it ſhall ſuffer to remain; for it is evident that if ſhe can inſiſt on the repeal of one law on the pretence of its being injurious to her intereſts, or contrary to her rights, ſhe may equally object to the continuance or the paſſing of any other, there being none to which this pretence may not be extended.*

* France has taken care to give us an example of the manner in which it may be extended, and in which ſhe would exerciſe this right, were we weak enough to concede it. We had indulged her with the priviledge, not granted by the treaty, of ſelling her prizes in our ports. Finding afterwards that the indulgence had been abuſed, and operated in a manner very prejudicial to our ourſelves, a bill was brought into the Houſe of Repreſentatives laſt year to prevent it in future, this bill paſſed with little oppoſition. Mr. Adet immediately entered a formal complaint againſt it, *as a breach of the treaty*, and concluded with expreſſing his hopes "that the "government would take the neceſſary meaſures, for preventing the effects of a law contrary to treaties, and the duties of a mutual nation."

See his letter of May 18, 1796, to the Secretary of State.

When theſe obnoxious deciſions and laws ſhall be removed, then will France enter into the exerciſe of thoſe rights, which through them have hitherto, as ſhe alledges, been unjuſtly withheld from her. She will give commiſſions to our citizens in our own ports to privateer againſt her enemies with whom we are at peace. Theſe privateers, if they pleaſe, will capture veſſels on our coaſts, in our rivers, and even at our wharves, and our courts will be prevented from giving redreſs. She will arm veſſels in our ports, and if they can proceed to ſea by ſtealth, or in deſpight of the Preſident's authority, as they have heretofore done, neither they nor their prizes on their return into into port, can be queſtioned by the courts. She will ſell her prizes in our country, whereby our harbours will again become a ſtation for her privateers, our towns overrun by their crews, our police inſulted and diſturbed, our regular commerce interrupted, and our revenue defrauded. She will even arm and equip veſſels for war in our ports, for the prohibition againſt it reſts at preſent, on that law of June 5, 1794, whereof ſhe requires the repeal; and ſhould Britiſh ſhips of war enter our harbours, ſhe will alledge that they have at ſome time or other made prize on her citizens, and we, without waiting to examine the truth of her allegation, muſt compel them to depart.

All this is the plain and neceſſary conſequence of complying with her demands.

Having proceeded thus far, we muſt go on to declare war againſt England, or at leaſt to exclude her commerce from our ports, for the prevention and avengement of what France tells us are infractions of our neutrality and inſults to our honour. France tells us, that we have heretofore ſubmitted to theſe inſults, and winked at theſe infractions; that our meaſures to repel or redreſs them, have been *inefficacious*, and the inconvenience which ſhe ſuffers from this inefficacy, is numbered among the greateſt of her injuries.

It has already been ſeen, that theſe infractions and inſults conſiſt chiefly in the capture of French property in our veſſels, that is in the exerciſe of a right which we acknowledge, and the law of nations clearly ſupports.

They alſo conſiſt in part of real injuries, whereof we have complained, and for which the authors have engaged to make, and now are making ample ſatisfaction. Theſe two deſcriptions include the whole liſt of "infractions and inſults." But if it were otherwiſe; if as France aſſerts, all the acts complained of were really infractions, and we had failed to obtain ſatisfaction, ſtill it is evident that the meaſures which we have adopted for that purpoſe, were the moſt efficacious in our power ſhort of hoſtility, or what would have immediately led to it. Since therefore ſhe requires us to adopt more efficacious meaſures, ſuch as ſhall ſatisfy her and remove the evil, it manifeſtly appears, that nothing ſhort of hoſtility, or meaſures that muſt ſpeedily end in it, would content her.

Therefore we muſt make war on Great Britain, contrary to our own inclination, and to what, in our judgment, the beſt intereſts of our country require.

When we ſhall have done all this, when we ſhall have broken our treaties, repealed our laws, and in contempt of our conſtitution, reverſed the moſt ſolemn deciſions of our courts; when we ſhall have placed the judicial power of our country under the controul of a French miniſter, and abandoned the whole ſyſtem of our foreign policy, ſo wiſe and adopted after ſo much deliberation; when weſhall have placed our ports, our rivers, and our commerce at the mercy of French privateers, and engaged in a war with the enemies of France, to compel the ſurrender of an acknowledged right, becauſe its exerciſe happens to be inconvenient to her; when we ſhall have done all this, what will be gained? Will France then reſtrain her privateers, reſtore our property, and reſpect our few remaining rights? No! ſhe promiſes no ſuch thing; ſhe requires all this to be done as a preliminary, and when it is done, ſhe will then hear what we have to ſay, and will ſignify to us her further pleaſure.

And are the people of America, who once generouſly reſolved to maintain their independence, or die in the laſt ditch, are you, my fellow citizens, whoſe blood has often flowed in the cauſe of your country, prepared for this? Are you prepared to lay your country proſtrate at the feet of France? Are you prepared to put your

courts under the controul of her agents, violate your conſtitution at her orders, and tamely allow her miniſter, under the pretence of watching over the execution of a treaty, and of inforcing the laws of neutrality, to over-rule the legiſlature, dictate to the Preſident, and aſſume the abſolute direction of your affairs? If you be thus prepared, which I will never believe till I ſee it, I freely, nay proudly, declare to you that I am not, and that my voice ſhall never ſanction this ſurrender of our rights and independence. Sooner would I ſee every ſhip ſunk, every town in aſhes, and devaſtation once more ſpread from one end of our coaſt to the other.

With the loſs of theſe things we might retain our ſoil, our hands, our courage, our independent ſpirit, and our conſtitution; and we ſhould be a nation ſtill. Induſtry would again give us ſhips and towns; again might commerce gladden our ports, and agriculture ſmile over our land; and our children poſſeſſing in peace and honour, the bleſſings which with ſo many ſacrifices, we had purchaſed, might proudly look on our graves, and ſay, "theſe were our fathers." But independence once loſt, is moſt rarely regained: Such is the condition of our nature, that a nation once fallen, once reduced under foreign rule, moſt rarely riſes again; and where its fall proceeds, as in our caſe it muſt, not from its want of means, but its want of courage to uſe them, from its puſillanimity, its intrinſic weakneſs of character, it is deſtined never more to ſhake off the yoke.

But it may be ſaid, is not this picture exaggerated? Can it be ſuppoſed that France, even ſhould we yield to her preſent demands, would attempt to puſh thus far her abuſe of our conceſſions?

Let us enquire of the Dutch, let us aſk the Belgians, they can give us ſome uſeful information; and from their example, we may learn that the oppreſſions of France always keep pace with the weakneſs, the credulity, and the ſubmiſſive ſpirit of thoſe with whom ſhe has to deal. Let us aſk the Swiſs; from them we may receive a leſſon equally important, that the only

means of setting bounds to her unjust and haughty pretensions, is a firm and manly opposition.

In the winter of 1794, the French armies having overrun Belgium, and being favored by the intense cold, which covered the rivers with Ice, marched into Holland. On the 20th of January, a few days after their arrival, the French commissioners with the army, published a proclamation, in which they told the Dutch, "In the midst of war, we consider you as our friends "and allies; it is under this name that we enter your "country, we seek not to terrify, but to inspire you "with confidence. It is but a few years since a ty-"rannic conqueror prescribed you laws; we abolish "them, and restore you freedom."

"We come not to make you slaves, the French na-"tion shall preserve to you your independence."

"Personal safety shall be secured, and property pro-"tected."

All this was very friendly, and the Dutch very good naturedly believed it, more especially as the French generals, when they were approaching the country, had constantly repeated the same thing. They however soon found their mistake.

Seven days after this first proclamation, the same commissioners, having now been admitted into all the towns with their troops, and obtained complete possession of the country, published a second, in which they "for-"mally invited" the Dutch government to furnish the army, within one month, with the following supplies, viz. 200,000 quintals of wheat; 500,000 of rations of hay; 200,000 rations of straw; 500,000 bushels of corn; 150,000 pair of shoes; 20,000 pair of boots; 20,000 coats and waistcoats; 40,000 pair of breeches; 150,000 pair of pantaloons; 200,000 shirts; and 50,000 hats; and besides all this, 12,000 oxen to be delivered in two months. This requisition they call "their *ami-*"*cable* intentions," which they flatter themselves the citizens and the government will shew equal zeal to second, and in the execution whereof, they hope that "the slow forms of ordinary administration, and all "doubts about the want of authority, which might im-"pede the operation, will be carefully set aside?" and

they give the Dutch to underſtand, that in caſe the articles were not furniſhed, they ſhould be exacted by force.

It was now too late to heſitate; the French had croſſed the rivers, their army was in the country, and the Dutch had opened their gates to theſe "reſtorers of "their liberty;" they were therefore obliged inſtantly to comply, and on the ſame day, they addreſſed a proclamation to the people, informing them of the demand, and directing them to furniſh their reſpective proportions. In this proclamation, they remind the people of the "abſolute neceſſity of furniſhing the ſupplies, "without the ſmalleſt delay, and of the diſtreſs to "which they muſt expoſe themſelves, if they manifeſt "the leaſt unwillingneſs, or even procraſtination.

This however was only the commencement; they ſubſiſted their armies in Holland during the winter, took every thing they wanted, and paid in depreciated aſſignats at par; and finally they forced the Dutch to form an offenſive and defenſive alliance with them againſt England for ever. The treaty was ſigned on the 15th May, 1795. It obliges the Dutch to cede to France, "as indemnities" two of their moſt important frontier towns, with the adjoining territories, and one of their provinces; to admit French garriſons, in caſe of war in that quarter, into three others of their ſtrongeſt frontier towns; to admit a French garriſon both in peace and war, into one of their principal ſeaports? to give France the free navigation of one of their principal rivers; to employ half their forces in carrying on the preſent campaign, under the command of French generals; and finally, to pay France, as a further indemnification for the expences of the war, one hundred millions of livres, equal to twenty five millions of dollars, in caſh or bills of exchange on foreign countries.

In addition to this, it has lately appeared from the ſtatements made to the Dutch government by a committee of Finance, that for fourteen months then laſt, the Dutch had paid two millions of dollars per month, amounting in the whole to twenty eight millions, for the ſupport of the French armies. To theſe two ſums add the value of the firſt contribution which was ex-

acted in kind, and they amount at the leaſt, to fifty-five millions of dollars, two thirds of the whole expences of our revolution; of this enormous ſum have the Dutch been plundered by France, under the name of amity and alliance in leſs than two years, and in addition to the immenſe amount of aſſignats they have been forced to receive, to the ſurrender of a whole province, of their five ſtrongeſt frontier towns, and of a principal ſea-port, and to the employment of one half of their troops in the ſervice of France.

In return for all this, the French have driven away the Statholder and changed the government. They have not ſuffered the Dutch however to adopt one to their own mind. A convention was called for that purpoſe, a great majority of which was in favour of a federal republic. The minority having oppoſed this plan in vain, ſent two of their members to Paris to obtain the interferenee of the French government. The Freneh government did interfere, and the majority was forced to yield. The plan of government, which this great majority had favoured, was now rejected, and a different form, more ſuitable to the views of France was impoſed on the nation.‡

The Dutch have alſo obtained in addition to all theſe proofs of amity, an offenſive and defenſive war with France againſt England, in which they have already loſt all their rich poſſeſſions in the Eaſt Indies, the Cape of Good Hope, a great part of their fleet, and the remains of their trade.

The *eaſy conditions* granted to the Dutch were complained of in the French convention, and it was alledged, that the commiſſioners had not drawn from Holland all the advantages which the republic had a right to expect. The commiſſioners juſtified themſelves by alledging that it would have been *impolitic* to demand

‡ The names of the deputies who went to France are Van Vierſeede and Hooffe. They afterwards publiſhed a letter, in which they avow the affair and boaſt of it. See Gazette of the U. S. April 25, 1797.

harder conditions *at firſt*, becauſe in that caſe, the Dutch might have been driven to *reſiſtance*.*

Thus we ſee openly avowed and approved, the ſyſtem of coaxing a nation into their power, under the pretence of rendering it ſervices, and then plundering and oppreſſing it without bounds or remorſe, under pretence of receiving a reward for thoſe ſervices: and this by a government which has talked to us of our *perfidious neutrality!*

Without entering into ſo minute a detail reſpecting Belgium, it will be ſufficient to ſtate, that the French entered this unfortunate country under repeated and ſolemn promiſes of protection and freedom; no ſooner had they obtained poſſeſſion by the ſucceſs of their arms and the favour of the inhabitants, who were fooliſh enough to confide in their promiſes, than they put every article of property which could be of uſe to their armies into requiſition, and compelled the people to receive payment in depreciated aſſignats at par. They next levied immenſe pecuniary contributions on all the towns, they ordered meaſures to be taken for compelling the people to exchange their money for aſſignats at par.† They placed the country under the government of military commiſſioners: finding that a majority of the conventions, which they had aſſembled under the pretence of making the people free, were adverſe to their views, they diſſolved theſe conventions by force, though freely choſen by the people, and this for the expreſs purpoſe, to uſe the words of one of their commiſſioners§ in the account of his proceedings, "of "raiſing up the *minority*, and deſtroying or counterbal-"lancing the power of an *ante patriotic majority*."

Having thus afforded "liberty and protection" to the Belgians, having thus "broken their chains, and "releaſed them from the yoke of their ancient tyrants," they proceeded to ſeize and confiſcate, for their own

* See the report made to the national convention by Carnot, Feb. 18, 1795, in which this whole affair is ſtated, and the means of reſiſtance that Holland might have uſed, had ſhe been aſſailed under any other appearances than thoſe of "f[illegible]," are ably pointed out.

† See the decree of Dece[illegible]5, 1792, and the inſtructions to the commiſſioners, dated Januar[illegible]93.

§ Publicola Chauſſid.

uſe, the whole property of the clergy in Belgium, to the amount of more than two hundred and fifty millions of dollars.

The military government and contributions levied at the point of the bayonet, ſtill go on in this *liberated* country, for the gazettes have lately informed us of parties of horſe being ſent to ſeize the proviſions of ſuch farmers as neglected to bring them in at the orders of the commiſſioners.

It may alſo be uſeful to conſider the example of Italy, to the people of which, the French when they invaded it, alſo promiſed liberty; they even carried on for ſome time the farce of a convention, at which gen. Buonaparte ſent one of his officers with a detachment of troops to preſide. Having by theſe means inticed theſe ſimple people to aſſiſt them againſt their own government, they have lately in their treaty with the Pope ſtipulated, that theſe provinces which belonged to him, ſhall not be made free, but *be ceded to France*. In the mean time they plundered the churches and the cities, ſtript the country to which they had promiſed freedom, of its wealth by enormous contributions, and compelled the militia to join their armies. Beſides the territory which they compelled the Pope to relinquiſh, they exacted from him upwards of ſix millions of dollars, and many of his moſt valuable effects, and forced him to receive a French garriſon into one of his ſea-port towns.

Thus it is that France deals with countries which ſhe can intice or compel into her graſp. Let us ſee how ſhe acts towards ſuch as are willing and able to reſiſt.

The Swiſs being neighbours to France, and having reſolved according to their uſual policy, to remain neuter in the preſent war, ſhe early began as ſhe has done in our caſe, to claim the right of directing their affairs under the pretence of enforcing the obſervance of *treaties* and of the laws of *neutrality*. The Swiſs, as we have done, for a long time bore with her through a love of peace, but ſtill, though in the mildeſt terms, repelled her pretenſions. Emboldened by this moderation on their part, and by ſeeming compliances into which they had been led by their anxiety to avoid a quarrel, ſhe increaſed in her demands, and at length

formally required them to drive from their territory the numerous French emigrants who had taken refuge there, and were residing peaceably under the protection of their laws. The asylum granted by them to these unfortunate exiles, deprived of their all, and hunted by the implacable vengeance of France from country to country, was declared by her to be "a breach of neu-"trality." The Swiss resolved not to yield this essential point of their sovereignty, but unwilling to refuse directly, for some time evaded the matter; France persisted, called their evasions "outrageous and ridicu-"lous delay," asked them how they "dared to hold "a conduct so reprehensible," and demanded *without delay*, "a frank and amicable" explanation, which might dispel her doubts, and restore "their state to her "sentiments of good will." *

The Swiss made a firm reply, marked however with great moderation, and shewing a wish still to evade the question, rather than give a direct and pointed refusal.

But this did not satisfy France: she returned to the charge. Her minister tells the Swiss, "I conceive it "my duty, agreeable to my INSTRUCTIONS, to request "formally from you, that you will banish from your "territory all descriptions of those strangers so dan-"gerous to the tranquility of France and of Switzer-"land, as well those whom a *false pity* has hitherto to-"lerated, as those who may hereafter take refuge "there. They cannot any longer prolong their stay "there, without injuring that confidence which ought "to subsist between two nations, one of which can-"not grant an asylum to (the enemies of) the other, "without essentially affecting the duties of neutrality. "The directory *demands and expects* from your friend-"ship, that listening only to your true and solid in-"terests, you will drive from among you the emi-"grants and French priests.——Your wisdom will "appreciate the *extreme and pressing* importance of this "request."†

* See the letter of Barthelemi, the French minister, to the canton of Bazil, May 9, 1796.

† See Barthelemi's letter of June 25, 1796.

The Swiſs however were reſolved to judge themſelves of what "their true and ſolid intereſts" required; and finding that moderation only invited new inſults, and that there was nothing left for them, but to ſubmit, or firmly and plainly aſſert their rights, they replied that they themſelves were the judges of the intereſts of their country; that they were deſirous of avoiding offence to France and had given none; that thoſe Emigrants and Prieſts were peaceable exiles, whoſe misfortunes as well as their virtues and good conduct, gave them a claim to the aſſylum, which they had received in the Swiſs territory: that far from plotting againſt the intereſts of France, as ſhe had alledged, theſe exiles were honeſtly and peacably labouring for their bread: that they had received in Switzerland the rights of hoſpitality which no duty of a neutral nation forbid it grant, and that in theſe rights the Swiſs were reſolved, at all hazards, to protect them.*

This reply put an end to the diſpute; France perceiving that the Swiſs were reſolved not to yield, and that, conſidering their warlike character and the ſituation of their country, an attempt to force them would be attended with hazard and difficulty, ſhe wiſely determined to give up the point. The emigrants remained; and after all this bluſtering, ſhe left the Swiſs quietly to manage their own affairs.

From theſe various examples my fellow citizens, we may learn the conſequences to be expected from ſubmiſſion, and from reſiſtance; we may learn that to make the conceſſions now demanded, would only embolden her in new requiſitions, to be conſtantly extended in proportion as we ſhould betray a diſpoſition to yield; whereas the true and only method of repelling or preventing aggreſſion, is to ſhew by our conduct that we are reſolved, at all hazards, to maintain the excluſive and uncontrouled direction of our own affairs. Before ſhe will deſiſt from her attempts, we muſt convince her that in this reſolution we are firm and united. Till then, ſhe will continue to require from us, as ſhe now does, the ſacrifice of our

* See their reply in the Gazette of the U. S. of September 21, 1796.

intereſts and ſelf government at the ſhrine of her own ambition.

And what are the titles whereby ſhe claims this ſacrifice? She claims it from our juſtice, and our gratitude.

Her claims on our juſtice, reſt upon the ſtipulations of treaties, and the duties of neutrality. Theſe have already been examined, and it has appeared how far they are from ſupporting her pretenſions.

But our gratitude, we are told, forms a ſtronger tie, and reſts on foundations ſtill more ſacred. She proudly holds up to our view her aſſiſtanee in our ſtruggle for iudependence; her commercial beneſits, conferred in the preſent war; and the religious punctuality wherewith, as ſhe aſſerts her ſtipulations in the treaty with us have been fulfilled. On theſe is founded, according to her, a debt of gratitude, which nothing leſs than our independance can pay.

Again and again has ſhe reminded us that to her we are indebted for the poſſeſſion of our freedom: again and again has ſhe recalled her ſervices to our recollection, and upbraided us with our ingratitude: again and again, has ſhe repeated her claim to unbounded compliance with her wiſhes, as the return for her aſſiſtance. Theſe pretenſions at firſt were urged with ſome degree of modeſty. The inſtructions to Mr. Genet go no further than to alledge "that the french nation contributed to "acquire our independence, as the juſt price where-"of we ought to ſubmit to engagements which might "appear burthenſome." But Mr. Genet ſoon afterwards "told us "that France had eſtabliſhed our free-"dom and that gratitude required us to yeild to his "demands. Mr Adet declares that France "wrought "and guarantced our independence, at a time when, "as the price of it ſhe might have granted us condi-"tions leſs liberal." And at the concluſion of that long liſt of complaints, which are founded on pretentions ſo inadmiſſible and extravagant, he declares that our Goverment, in refuſing to yeild to them "has ſet "aſide the duties of Gratitude, as if ingratitude was "a duty of Goverments."

To crown the whole, the directory in a public ſpeech to our late [illegible] miniſter at Paris, expreſſed their hope, "that the Americans, proud of their liberty, "would never forget that they *owe it to France.*"

In the affairs of private life it is a rule, that to be upbraided with benefits received, very much impairs the obligation they create; and that to demand a reward for what was conferred as a favour, changes the obligations of gratitude into a debt by contract. The debt in this caſe muſt be weighed in the ſcale of ſtrict juſtice, or meaſured by the extent of preciſe ſtipulations.

As to ſtipulations, there are none which can warrant the demands of France; for in that very treaty whereby the aſſiſtance ſo boaſted of was furniſhed, it is expreſly declared, "that each party being reſolved to fulfil on its "own part, the clauſes and conditions of the preſent "treaty of alliance, according to its own power and cir-"cumſtances, there ſhall be no after claim of com-"penſation on the one ſide or the other." The only benefit ſtipulated for France, was our guarantee of her iſlands; but this ſtipulation, which was to take effect only when France ſhould be engaged in a *defenſive* war, does not operate in this caſe; becauſe in the preſent war ſhe is clearly the aggreſſor; and of this ſhe is ſo ſenſible, that amidſt all her extravagant demands, ſhe has never called on us for the fulfillment of the guarantee.

A reward claimed for ſervices on the principles of juſtice, muſt be regulated by two conſiderations; what the ſervices were fairly worth, and what the parties at the time, may be ſuppoſed to have tacitly contemplated as the price. But can any poſſible ſervice be worth our independence, nothing leſs than which France demands? Ought we in juſtice to make her this return, even if, as ſhe pretends, ſhe had beſtowed this independence? Can it be ſuppoſed, that when the ſervices were rendered, ſhe ever expected, or we would ever have conſented, that this ſhould be conſidered as their price? What in that caſe ſhould we have gained by our ſeven years ſtruggle, by the deſtruction of our property, by the devaſtation of our country, by the long toils and the blood of our citizens, and by our

debt seventy millions of dollars? We should have gained not freedom, but a change of masters; of and whether a change for the better, let Holland, Belgium, and Italy, bear witness on the one part & Ireland on the other

But is it true that France gave us independence? Let us appeal to dates and to her own assertions for an answer to the question.

Let us ask at what time she concluded this alliance, to which she says we are indebted for our success? At what time she rendered this assistance, by which she so confidently affirms, that our independence was maintained? It was in the year 1778, after we had supported the war three years by our own forces; after we had captured Burgoyne's army; after the English, convinced of their inability to subdue us, had offered us every thing we asked, except independence: it was after we having declared our independence, and fully assured of being able to support it, had unanimously refused to listen to their offers.

Before these events, and while the contest was yet doubtful, she had constantly refused to form an alliance, or to grant us assistance. She allowed us indeed to purchase arms and amunition from her merchants, but for these we paid, and with these we were furnished by the merchants of other nations also.

This is the testimony of dates and facts; testimony written on the plains of Saratoga, and behind the breast works of Bunker's Hill.

But what is the testimony of her own declarations?

After the treaties of alliance and commerce became known to England, she published a manifesto in justification of the war, which on account of those treaties she had resolved to wage against France. The French court gave a public answer to this manifesto, in which it vindicated its own conduct, and justified the treaties, on the express ground, that the United States had already not only declared, but *established* their independence, when the treaties were concluded. The answer asserts, "that the capture of Burgoyne "overthrew the plan which England had laid for the "reduction of her colonies;" that "England had "become *unable* to subdue her colonies;" that "on

" the 6th of February, 1778, the date of the treaties, " the Americans were in the *full and public* poſſeſſion " of their independence: that the colonies had eſtabliſh- " ed their independence, not only by a ſolemn decla- " ration, *but alſo in fact*, and had ſupported it againſt " *all the efforts* of the mother country;" that " Eng- " land had diſplayed her power to chaſtiſe the Ameri- " cans, and reduce them by conqueſt, but that the reſult " of all her efforts had been to *demonſtrate* to America, " to Europe, and to England herſelf, her impoteney " and the *impoſſibility* of her *ever* bringing the Ameri- " cans again under the yoke."

And yet we are now told by France, that ſhe gave us our independence!

Aſſiſtance indeed ſhe did give us, though not our independence, and all the world knows how fondly, how proudly, we have always acknowledged the obligation. All the world knows with what religious reverence, with what heartfelt gratitude, we have ſhut our eyes to the motive, while we looked only at the act. All the world knows how much delighted we have been to forget that France was an intereſted aſſociate, and to regard her only as a generous, a magnanimous benefactor. With what pain it is that we find ourſelves obliged by her reiterated reproaches, to abandon this voluntary this pleaſing deluſion! With what pain do we ſee ourſelves compelled, by her taunting recalls to our recollection of ſervices which ſhe ſays we have forgotten, to draw aſide the veil, and expoſe to the world and to ourſelves, the objects for which we always knew that thoſe ſervices were rendered!

Her objects were to exhauſt and divide the Britiſh empire, by fomenting and ſupporting the quarrel between the colonies and the mother country; and then to gratify her reſentment and exalt her own power, by ſeizing the moment of weakneſs, to humble and reduce her moſt formidable and her moſt dreaded rival. To effect this object, ſhe did not wiſh the colonies to become independent, but to be reduced after a long ſtruggle: becauſe in that caſe both their reſources and thoſe of England, would be the moſt completely exhauſted. For the proof of this poſition, we appeal once more to her own teſtimony.

Nothing is better known than that the pride of France never received ſo deep a wound as at the peace of 1763. It was by that peace, that after a war, in which her power, in the four quarters of the globe, had ſunk under the arms of Britain, guided at that time by the genius of the elder Pitt, ſhe found herſelf obliged to ſubſcribe to terms which her ſtateſmen, her warriors, and her writers, have never ceaſed to reprobate and lament. She tried every means to recruit her ſtrength; ſought to fortify herſelf every where by new alliances; and waited with impatience for the moment, when circumſtances might enable her to renew the combat, with better omens of ſucceſs. This moment ſhe ſaw approach in the quarrel which broke out in 1775, between Great Britain and her colonies: and ſhe immediately took into conſideration how the opportunity might beſt be improved. This was the ſubject of her moſt anxious care, of the moſt profound deliberations of her wiſeſt ſtateſmen.

The reſult of theſe deliberations may be ſeen in a piece drawn up in April 1776, by Mr. Turgot, at that time one of the miniſters of Lewis the ſixteenth, and intitled, "Reflections upon the manner in which "France and Spain ought to regard the conſequences "of the quarrel between Great Britain and her colo-"nies;" in this piece, which Mr. Turgot declares to be intirely conformable to the opinions of Mr. De Vergennes, it is declared, that the event the "moſt de-"ſirable for the intereſts of the two crowns (France "and Spain) would be the reduction of the colonies "again under the yoke of England." The reaſon aſſigned for this opinion is extremely ſtriking, and unveils moſt completely the ſyſtem of the French policy. "If the colonies ſhould not be reduced till after the "ruin of all their reſources, England would loſe the "advantages which ſhe has hitherto drawn from them, "not only for the augmentation of her commerce in "time of peace, but in the uſe of their forces in time "of war. If on the contrary, the colonies ſhould be "ſubdued without the deſtruction of their wealth and "their population, they would preſerve alſo their cou-"rage and their deſire of independence, and England

" would be compelled to employ part of her forces in " preventing a new revolt."

Thus we ſee that theſe generous beneſactors deſired nothing ſo much as the deſtruction of all our reſources, and even of our population, by a tedious and bloody conteſt; and then our final reduction under the yoke of our former maſters.

To effect this plan; to enable us to make this long reſiſtance, by which our wealth and population were to be deſtroyed; Mr. Turgot adviſes, " that France " ſhould furniſh us, by means of the merchants, with " the warlike ſtores, and even with the money, which " we might be in need of; but without abandoning " her own neutrality, or affording any direct aſſiſ- " tance." This he ſaid was by all means to be avoided; becauſe it would involve France in the war; who, without remaining in peace herſelf, could not reap all the expected advantages from the weak and ruined ſtate, whereto England and the colonies would be reduced by the ſtruggle.

Another reaſon, and in his opinion a deciſive one, for avoiding war, or even the appearance of it, he declares to be " the tendency which the one or the other " would have to bring about a reconciliation between " the colonies and the mother country, and thus ex- " poſe France to the danger which ſhe moſt dreaded," that is, the danger of their ſpeedy reunion, with undiminiſhed forces.

And finally, the better to accompliſh this plan, he recommends the adoption of meaſures " for obtaining " exact information of all that paſſed in the colonies; " without however giving room to ſuſpect, that France " had there any direct or authoriſed agent."*

The tendency of this plan to weaken and reduce the power of England is eaſily ſeen; but I cannot find in it the leaſt trace of good faith, or good will, towards the colonies; much leſs of a wiſh to promote their proſperi-

* This piece of Mr. Turgot was found with many other ſecret ſtate-papers, in the Cabinet of Louis the Sixteenth, and after his death was publiſhed by the Convention.

ty, or eſtabliſh their independence. The very contrary indeed is expreſsly declared.

That this plan, contrived by Turgot and Vergennes, was afterwards adopted by the French government, is perfectly well known; not only from the power which thoſe two miniſters then, and for a long time after, enjoyed in France, but from the conduct of the government and its expreſs declarations. In March 1784, we find M. de Vergennes, in a memoir addreſſed to Louis the sixteenth, on the conduct obſerved by the French government towards other powers, reminding him, "that his majeſty, provoked by the violence and injuſtice of England, had employed himſelf ſeriouſly "about the means," of doing, what? of eſtabliſhing the independence of the colonies? No: *but "of repreſſing the pride and ambition of that enterpriſing "nation, and of preventing the revolution which had "broken out in North America, from turning to the "prejudice of France; for *which view* a negociation "had already been commenced with the United States, "when the unexpected death of the Elector of Bavaria called his attention to the affairs of Germany."

Thus when the king and his miniſter come to talk over the matter in private, where men tell the truth without diſguiſe, they explain the true motives of their conduct. We find that they were actuated, not by good will to the Americans, but by reſentment againſt England; not by a wiſh to promote the advantage of America, but to repreſs the pride and ambition of England; and that it was for this view, and not to ſecure our independence, that the negociation was commenced.

It is indeed perfectly well known that untill they heard of the capture of Burgoyne, and the conciliatory offers of England, the French government treated all our advances with the greateſt indifference; and to uſe their own words in their anſwer to the Engliſh manifeſto, "had all times manifeſted a diſlike to any en-

* This memoire of M. de Vergennes, was another of the pieces found among the private papers of Louis the Sixteenth.

" gagement with the colonies," this was entirely conformable to her policy of avoiding the war, while Britain and the colonies ſhould go on to exhauſt each other by a long ſtruggle, and afford her an opportunity of attacking them both afterwards with entire forces. But when Burgoyne was taken, and the Engliſh offered us all we aſked, except independence, then France, for fear we ſhould accede, and left that reunion which ſhe ſo much dreaded, ſhould take place, immediately departed from her former policy, and concluded a treaty with us, on terms far more favourable than thoſe, which we had before ſolicited in vain.

Her reaſons for doing ſo, are very fully and ſtrongly expreſſed, in the following extract from her anſwer to the Britiſh manifeſto.

" It is ſufficient for the juſtification of his majeſty, " that the colonies, which form a nation conſiderable " for the number of their inhabitants as well as for the " extent of their dominion, have *eſtabliſhed their inde-* " *pendence*, not only by a ſolemn declaration, *but alſo* " *in fact*, and have ſupported it againſt the efforts of " their mother country; ſuch was in effect the ſituation of the United States, *when his majeſty began to* " *negociate with them.* His majeſty had full liberty of " conſidering them as independent, or as ſubjects of " Great Britain; and he choſe the firſt part, becauſe " *his ſafety*, the *intereſt* of his people, *invariable policy*, " and above all, the ſecret projects of the court of " London, imperiouſly laid him under the neceſſity."

The anſwer then aſſerts, that the alliance, formed under the preſſure of this *imperious neceſſity*, was, " even- " tual and purely defenſive; not to take effect unleſs " France ſhould be attacked by the court of London " before the ceſſation of hoſtilities with the colonies."

Thus we find that this boaſted alliance, to which we have have been ſo often and ſo inſultingly told that we owe our independence, was not reſolved on by France, till after ſhe knew that our independence was *in fact* eſtabliſhed; was dictated by imperious neceſſity, and a regard to the *ſafety* and *intereſts* of France; and was

not to take effect unleſs ſhe would be attacked by our enemies!

And leſt the evidence of circumſtances and the pointed declarations of the former government of France on this ſubject, ſhould be doubted, the republic has alſo added its teſtimony. The executive council, in its inſtructions to Mr Genet, declares "that the miniſters "of Louis the ſixteenth thought it right for France to "hinder the United States from taking that political "ſtability of which they were capable; becauſe they "would ſoon acquire a ſtrength which it was probable "they would be eager to abuſe. The ſame machive-"lian policy," continue the inſtructions, "influenced "the operations of the war for independence; the "ſame duplicity reigned over the negociations for "peace," and in fact we know that the French government thwarted theſe negociations to the utmoſt of its power, and ſtrove to render the conditions of the peace, which it had in vain ſtriven to prevent, as diſadvantageous to us as poſſible, by depriving us of the Fiſheries, the weſtern country, and the navigation of the Miſſiſſippi. This was conformable to their ſyſtem of keeping us at war as long as poſſible, and leaving us at the end of it, as weak as poſſible.

Surely therefore it may be expected, that we ſhall at length ceaſe to be told of the diſintereſted generoſity of France in eſtabliſhing our independence, and of our ingratitude to her on that account.

Does her claim to our gratitude for commercial favours during the preſent war, reſt on a better foundation? She has indeed opened her Weſt India ports to us; and of this we have been again and again reminded. But at what time was it done? At the time when ſhe had reſolved to give up her commerce, and convert all her ſhips into privateers for the purpoſe of deſtroying that of England.

As the productions of her colonies were of indiſpenſible uſe to her, it was infinitely her intereſt that we ſhould become the carriers of them, more eſpecially as we were the only neutral power, whoſe local ſituation, and number of ſhips, could enable it to effect the object.

She hoped also to obtain another very desireable object. It was well known to her that England claimed a right to take the goods of her enemies on board of neutral vessels. When we should engage in this carrying trade between France and her colonies, we should of course become exposed to infinite vexation from the exercise of this right. The profits of the trade would tempt us on one hand, while the vexations would provoke us on the other; and by this double operation the great object of bringing us into the war would be very much promoted. France also would be furnished with that pretext which we find her now using, for insisting on us to employ what she calls *efficacious means* in causing her property on board of our ships to be respected by England. If we should succeed, the property would go free, and that would be a great benefit; if we should fail, we should nevertheless be involved in the war, and that would be a greater still.

The sweets of this commerce too, it was hoped, would intice us into an alliance offensive and defensive for the purpose of securing it; and accordingly we find that when Mr. Genet was instructed to draw us into such an alliance, this was the bait which he was ordered to employ.

Thus it is manifest, that what we are now upbraided with as a generous and useful indulgence, was in fact a most dangerous snare, from which great good fortune and the prudence of our government, joined to its unshaken firmness, could alone have enabled us to escape.

She rests her claim to our gratitude in the last place, on the respect which she has paid to our interests and our wishes, and the punctuality wherewith she has fulfilled her duties towards us.

One instance of her attention to our wishes is, the recal of Mr. Genet, in which she now asserts, that "listening only to the complaints of the American go-"vernment, she immediately gave the most ample sa-"tisfaction." *

* See Mr. Adet's note

We, however, perfectly well know, that this recall proceeded not from complaisance to us, but from the fall of the Brissotine party, to which Mr. Genet belonged, and by which he was sent here. Robespiere, who then came into power, not only drove all the men of that party from their employments, but destroyed as many of them as he could catch; but that France never abandoned the system which Genet had pursued, is most evident from the present measures, in which we see that system avowed and enforced. It is also evident from the whole correspondence of his two successors, which though not always quite as offensive in expression as that of Genet, was no less exceptionable in principle and substance. Indeed that appeal to the people, the mere threat of which was considered as the most offensive and outrageous of all Genet's proceedings, has actually been made by one of his successors, in the most formal manner and by express orders of the French government.

Another instance is, that France, on the application of our minister, repealed, as far as respected us, one of her decrees, which was injurious to the commerce of neutral states. This repeal, it is true, did take place; but unfortunately, the repealing law itself was repealed three days afterwards, through the influence of some French privateers, which had taken a very rich American ship; and the first decree was left for many months to operate in a manner the most injurious to our commerce.

This leads to the question, how far France has intitled herself to particular favour from us by her punctual observance of treaties? For this also is one of the merits, whereof in the midst of her reproaches, she has repeatedly reminded us. Her ministers have repeatedly told us of "the religious punctuality with which the French "Republic keeps her engagements with a nation to "whom she has not ceased to testify her attachment." † Let us see how punctual this observance has been, and what are the proofs of this attachment.

† See Mr. Fauchet's letter of May 23, 1795, and Mr. Genet's correspondence throughout.

On the 9th of May, 1793, before the Britiſh commenced their ſpoliations on our commerce, the national convention of France paſſed a decree, authorizing her "ſhips of war and privateers, to capture all neutral "veſſels loaded, in whole or in part, with merchan-"dizes belonging to enemies, or with proviſions belong-"ing to neutrals, but bound to enemies ports."

This was prior by one month, to the firſt orders of the Britiſh government, under which our proviſions, deſtined for French ports, were made prize. Thus did France ſet the example of thoſe very meaſures, againſt which, even while ſhe contiued to purſue them herſelf, ſhe ſo violently exclaimed as ſoon as they were imitated by the Britiſh, and to compel the recal whereof ſhe has ſo often told us that our honour, and our good faith to her, required us to make war againſt England!

This decree of May 9, 1793, being a plain and direct violation of our treaty with France,† our miniſter at Paris complained, and on the 23d of the ſame month a new decree was paſſed, declaring that the former ſhould not extend to American veſſels; and thus plainly confeſſing its injuſtice. The ſecond decree however was repealed only two days after it paſſed, and the firſt remained in force againſt our commerce. Our miniſter again complained, and on the firſt of July the convention again decreed, that the decree of May the ninth ſhould not extend to American veſſels. This was a ſecond acknowledgement of its injuſtice; and yet twenty-ſeven days afterwards, it was again enforced againſt our commerce by the repeal of the laſt decree for reſtricting it: and then it remained in force until January the 4th, 1795.

During this period a very conſiderable number of our veſſels were carried into French ports by her privateers and ſhips of war. It alſo became a practice to ſeize cargoes ſent in to her ports by our merchants, and employ them for public uſe, without paying for them. Her agents alſo purchaſed conſiderable quantities of proviſions from our citizens, and drew bills

† Which declares, that free ſhips between us and her ſhall make free goods.

for payment on the government of France, or on her minister in this country, which in many instances were not paid. Those agents frequently made contracts also with our citizens for supplies of provisions, which, when the provisions arrived, they refused to fulfill. The privateers and ships of war of France, frequently committed spoliations at sea on such of our vessels as did not come within the decree of May 9, 1793, and finally an embargo was laid on our vessels in Bourdeaux, and continued during the greater part of the years 1793 and 1794, whereby one hundred and three of our vessels were detained, and our merchants sustained very great injury.

There were many cases of all these descriptions, and each of them was a plain infraction of the treaty, the law of nations, or the rights of neutrality. Many of them included a breach of all three; and the whole number amounted to one hundred and seventy, exclusive of those for detention by the embargo at Bordeaux.

Our government, however, did not imitate that of France, by directing our ministers to importune and insult it, to raise an outcry in the country, or threaten the government with an appeal to the people. It sent an agent to Paris with instructions to attend to those claims, and endeavour to obtain indemnification.

Let us hear this agents account of the manner in which the French government respected the rights of its allies, and fulfilled the stipulations of treaties.

The agent, Mr. Skipwith, in a letter addressed to the American minister at Paris, and dated October 1794, writes thus.

" At your request I now lay before you a statement " of the innumerable embarrasments which our com- " merce has for a long time, and continues still to la- " bour under, in the different ports of the French Re- " public. It is evident, if their government does not " soon remedy the incessant abuses and vexations prac- " tised daily upon our merchants, vessels, captains, " and crews, the trade of the United States with " France must cease. I cannot give you an ample

" detail of all the inconveniencies and oppreſſions " which have been thrown upon our commerce; many " of the conſuls and their agents to whom you have " written to forward ſuch documents to my office not " having yet done it; beſides, it would take volumes " to expoſe them at full length.

" From the communications, however, already re- " ceived from the different ports, and from the infor- " mation I have collected from the captains preſent, " I can aſſure you that there are near *three hundred ſail* " of American veſſels now in the ports of France all " of which have ſuffered, or are ſuffering more or leſs " difficulty and delay.—The hardſhips of which I have " chiefly to complain, and out of which there grows in- " calculable evils, may be developed under four ge- " neral heads.

" 1ſt. The capture, *indiſcriminately*, of our veſſels at " ſea, by the veſſels of war of the republic.

" 2d. The impoſſibility of Americans ſelling their " cargoes, and receiving payment in the ports to which " they are conducted, or of their own accord arrive.

" 3d. The difficulties and procraſtination which they " find in their tranſactions with the boards of marine " and commerce.

" 4th. The non-compliance, or heretofore delay, " in fulfilling the contracts made by the agents of the " French Republic in America for proviſions.

" The ſeizure of our veſſels at ſea, often gives riſe to " the moſt ſerious and well founded complaints.—— " The ſtripping them of their officers and crews, who " are generally replaced by boys and inexperienced " hands, in order to be conducted to ports, expoſes " them to much injury, and ſometimes to total loſs; " the confinement of our ſailors taken out of thoſe " veſſels, the ſeals upon their cargoes, and above all, " the ſending the papers to the commiſſioners of ma- " rine at Paris, involves the moſt unwarrantable hard- " ſhips and delays; and indeed I am ſorry to add, that " *all* our veſſels experience ſome of thoſe difficulties, " and indeed ſuch as arrive with cargoes on account " of the Republic, months elapſing before the captains

" can get their clearances and papers, many of which
" are often loſt or miſlaid.

" As to the ſecond head, the agents of the commiſ-
" ſion of commerce at the different ports, having no
" power to treat directly for cargoes, it follows that
" they muſt write to the commiſſion at Paris for orders,
" and after one or two months fruitleſs correſpondence,
" it often happens that the captains are obliged to come
" up to Paris, where being ignorant of forms and
" language, they have to encounter a thouſand diſ-
" ficulties.

" It would be too tedious to mention all the incon-
" veniencies reſulting from the third general complaint.
" In the firſt place, the delays at the commiſſion of
" marine are incredible. The captains, whoſe veſſels
" are brought into ports by the armed veſſels of the
" Republic, cannot withdraw their papers from the
" hands of the marine agents, but are forced to Paris
" to ſolicit, time after time, of the marine, a report
" upon them to the committee of Public Safety. The
" cruel delays attending this will be illuſtrated in the
" examples annext. The report being made before it
" can reach the latter body, it muſt have the ſignature
" of the commiſſaries, and go through other formali-
" ties, and when it receives the ſanction of the com-
" mittee of ſafety, it has to travel nearly the ſame
" road back. Judge, ſir, of the tedious delay attend-
" ing this; indeed you will ſee caſes where the poor
" captains have been many months in arriving at the
" above point, and I myſelf, after having preſſed ſeveral
" reclamations for weeks paſt, have not been able yet
" to bring one to that iſſue.

" To ſell to the commiſſion of commerce is ſtill more
" difficult. When a bargain is concluded with them, an
" order is iſſued to the keepers of the public magazines,
" to receive the cargo ſold; who often pretend that
" there is no room to receive it, and frequetly they
" keep the captains waiting weeks before their conve-
" nience or whim will induce them to receive it. This
" point gained, application muſt then be made at Pa-
" ris to the commiſſion of commerce for payment;

" who refer the captain to their board of agency. They " make a report to the comptability (the accountants " department) of the ſame commiſſion, from whence " it muſt go to the committee of Finance, then to the " committee of public ſafety, from whence it returns " to the comptability. This labyrinth of perplexity of " courſe throws the captain into the hands of an agent, " who preys upon his diſtreſs; and when all theſe forms " are fulfilled, it is not always that he can touch his " money.

" If in the firſt inſtance, the commiſſion will not " purchaſe his cargo on the terms he aſks, they tell " him he may depart; but on returning to his veſſel, " he is moſt commonly prevented from ſailing by the " agents at the ports. If it is mutually agreed that " merchandiſe ſhall be taken in exchange, the difficul- " ties become greater. If aſſignats with permiſſion to " export wines and brandy, the captain finds himſelf " taken in; for the agents will put thoſe very articles " in requiſiton. If the commiſſion tells the captain " that they do not want his cargo, and that he may " ſell to individuals, he finds that he cannot export the " proceeds without giving ſecurity to import afterwards " to the ſame amount in articles of the firſt neceſſity, " ſuch as proviſions &c. If the captain is ſo unfortunate " as to have to treat with the agents of the commiſſion, " he is ſure to feel their impoſition. They frequently " refuſe to confirm their own agreements. In ſhort " after every ſort of delay and vexation, ſhould the " captain claim an indemnity, he has to wade thro' " double the difficulties heretofore ſtated, and perhaps " after all to leave his buſineſs incomplete in the hands " of an agent.

" The 4th and laſt general complaint is of a delicate " and important import. Mr. Fauchet the French mi- " niſter, has made conſiderable purchaſes of proviſions " in America in the name and for account of the French " republic. One Houſe has engaged to furniſh 20,000 " barrels of flour. Thirteen veſſels loaded with theſe " proviſions have already arrived, and in vain have I " demanded of the commiſſion of commerce their an-

" fwer reſpecting the payment of theſe contracts; except " that in the commencement they aſſured me, the com- " mittee of Finance had ordered the payment of three " cargoes at Bordeaux; but to my ſurpriſe I found two " days after, that no report had been made to the " commiſſion of that committee."

Thus far the agent. He then proceeds to ſtate 24 particular inſtances of oppreſſion, by way of illuſtration, and gives a liſt of one hundred and ſeventy caſes which he had then brought forward. To this he adds a liſt of one hundred and three veſſels detained by the embargo at Bordeaux.

Let it be remembered that all this took place in the years 1793 and 1794; previous to the exiſtance of the Britiſh treaty, which France has ſince made the pretext of her outrages, and at the very time when ſhe was boaſting to us of the " religious punctuality" with which ſhe fulfilled the engagements of her treaty, and the duties of a neutral and allied power. While ſhe was quarrelling with us for the detention of a few privateers and their prizes, whoſe whole number at the utmoſt did not exceed twenty: ſhe had three hundred of our veſſels in her ports, ſubject to " inceſſant vexations, abuſes, and " oppreſſions" and a great part of which had been carried in by her cruiſers, contrary to the law of nations, and in expreſs violation of our treaty. While her miniſters were inſulting our government, becauſe it did not take what they choſe to call *efficatious* meaſures, to prevent the capture of our veſſels at ſea by the Britiſh, and the impreſs of our ſeamen, her ſhips of war were ſeizing our veſſels at ſea indiſcriminately, ſtripping them of their officers and crews, confining our ſailors, and leaving the ſhips to the care of boys and inexperienced hands. While ſhe was complaining in the bittereſt and moſt offenſive terms, of delays in our courts, the citizens of the United States, even ſuch as had gone to her ports under the faith of expreſs contracts with her miniſter, were obliged, in the proſecution of their claims, " to encounter a thouſand difficulties," to ſubmit to every arbitrary impoſition, to ſuffer " every ſort of de-

" lay and vexation," and finally to give up the purſuit, and leave their buſineſs in the hands of an agent.

And yet France upbraids us with her favours and our ingratitude! and yet ſhe reproachingly boaſts of " the religious punctuality wherewith ſhe fulfils her " engagements with a people, to whom ſhe has never " ceaſed to teſtify her attachment!"

Such, my fellow citizens, being the claims of France, and ſuch the foundations on which they reſt; ſuch being the inadmiſſible nature and alarming extent of her pretenſions; it remains for me to preſent you with a conciſe view of the meaſures whereby ſhe is now attempting to enforce them.

Theſe meaſures commenced with a formal ſtatement of her complaints preſented to our miniſter at Paris on the 9th of March, 1796. It was anſwered by the miniſter and tranſmitted to the government here immediately after. The complaints and the anſwers to them were the ſame in ſubſtance with thoſe already explained.

On the 3d of July, 1796, ſhe paſſed a decree directing her privateers and ſhips of war to treat the veſſels of neutrals in the ſame manner in which thoſe neutrals ſhould ſuffer their veſſels to be treated by the Engliſh. This decree was notified to our government by the French miniſter at Philadelphia, on the 27th of October, 1796.

This decree goes expreſsly upon the principle, equally unjuſt and abſurd, that if neutral ſtates receive an injury from one party which they are unable to repel, the other acquires a right to inflict it likewiſe. As it reſpects the United States it goes much further, and avows another priciple no leſs repugnant to every idea of juſtice and good faith. Britain poſſeſſes by the law of nations, a right to take the goods of her enemies found on board of our ſhips. This right France relinquiſhed expreſly by the treaty with us; but becauſe Britain continues to exerciſe it, notwithſtanding our endeavours to obtain her relinquiſhment, France declares by this decree, that ſhe will exerciſe it alſo, in expreſs violation of the treaty. The reaſon aſſigned

for it by her minister is, " that since Britain continued " to exercise this right, France could find only a real " disadvantage in the articles of her treaty with us, " whereby she had resigned it:" thus expressly avowing the principle that she has a right to refuse the performance of a solemn engagement whenever she may think its operations disadvantageous to herself.

The minister says that he has no doubt that we would acknowledge the justice of this measure, and that he would order his note to be printed for the purpose of making known publicly the motives whereby the French government has been guided in adopting the measure. In this he kept his word, and the note was published.

On the 15th of November, 1796; the French minister, performing, to use his own words, " a duty painful but sacred," signified to us " the resolutions of a " government terrible to its enemies, but generous to its " allies;" this note, which he also published, contains the whole list of complaints urged against us by France, and announces that his functions as minister were from that time to cease. This suspension, however, he tells us, must not be regarded as a rupture between the two nations, but as a " mark of just displeasure on the part " of France, to continue till our government should " return to sentiments and measures more conformable " to the interests of the alliance, and to the sworn " friendship between the two nations," and after reminding us in very inflamatory terms, of the cruelties of the English, and the *generous assistance* of France, he concludes with an assurance " that when our govern- " ment shall return to *itself*, we shall again find in the " French, faithful friends and generous allies."

Such is the scope of that famous manifesto, wherein Mr. Genet's threat of an appeal to the American people against their government, was carried into execution.!

Other measures in the mean time had been adopted in pursuance of this system. On the 1st of August, 1796, the special agents of the Executive Directory in the West-Indies, issued a decree authorizing the cap-

ture and condemnation of all veſſels loaded with contraband goods. The pretext for this decree was, that ſome of the United States, eſpecially Virginia, had fitted out veſſels loaded with contraband articles for the Engliſh, contrary to the law of nations; which, as the decree affirms, forbids neutrals to carry contraband goods to the enemy.

This however, in the firſt place, is not true. The law of nations does not forbid neutrals to carry contraband goods to the powers at war; it provides only that if thoſe goods taken by the enemy of that power to which they are going, they may be made prize. Neutrals therefore, may lawfully ſend contraband articles to any or all the powers at war; but they are ſent under the riſk of capture and condemnation by the oppoſite party.

This had been admitted by Mr. Adet; for altho' he complained at firſt of our ſupplying the Engliſh with horſes, which by the French treaty are contraband, yet this explanation having been given, he omitted the complaint in his manifeſto.

In the next place, by the law of nations, and the expreſs terms of the French treaty, the contraband goods alone are to be condemned, but neither the ſhips which carry them, nor the reſt of the cargo. This decree however, makes both the ſhips and the whole cargo liable to condemnation; and conſequently is a direct and formal violation of the law of nations, and the treaty between us and France. The decree does not ſay expreſsly, that the reſt of the cargo ſhall be condemned; but it is underſtood in that manner by the French agents in the Weſt-Indies, and in that manner executed.

The law of nations and the treaty, moreover, make contraband goods liable to condemnation in the ſingle caſe only where being ſent to one party at war, they are taken by the other. But this decree ſubjects them to capture in all caſes, whether bound to French or Engliſh ports, and with them the ſhips and cargoes.

On the 27th of November 1796, the French commiſſioners at Cape Francois paſſed a decree authorizing the armed ſhips and privateers of France to capture all American veſſels *bound to or from Engliſh ports*. This

decree was founded on the act of the Directory, declaring that France would treat neutrals as they suffered themselves to be treated by the English; but this act, iniquitous as it was, did not justify the decree; for at the time of passing the one and the other, the orders of the British for the capture of neutral vessels bound to French ports, had long ceased to exist.

It is to be observed moreover, that those orders never went as far as this decree.

The first, those of June 8th, 1793; directed "all "vessels laden wholly or in part with *corn, flour, or meal*, "and bound *to* any port in France, or occupied by the "arms of France, to be brought in, and the corn, flour, "or meal, to be purchased and paid for with freight." But the decree orders all American vessels, whatever may be their lading, bound *to* or *from* British ports to be captured.

The orders of the 6th of November 1793, directed all ships laden with goods, *the produce of any colony belonging to France*, or carrying *provisions* or *other supplies* for the use of *such colony*, to be brought in for adjudication. Even this falls short of the decree; which directs all American vessels, bound to or from British ports, and *however laden*, to be captured.

On the 8th of January, 1794; these obnoxious orders of November 6th were repealed, and instead of them, it was ordered that all ships of the following description should be brought in for adjudication. 1st. Ships with their cargoes laden, with the produce of the French islands, and bound directly from thence to any port in Europe. 2d. Ships with their cargoes laded with French property, being the produce of those islands, and bound to any place. 3d. Ships attempting to enter any blockaded port in those islands; and 4th. Ships bound to any port there, and laden, in whole or in part, with naval or military stores. These last orders, tho' extremely outrageous, and a clear infraction of the law of nations, still fell far short of the French decree, which consigns to capture all our vessels indiscriminately, bound to or from any British port, in America, Europe, or elsewhere. They, as well as the preceding ones

have all been long ago countermanded, and the Britiſh have engaged to make compenſation for the acts done under them.

Theſe orders were further diſtinguiſhed from the French decree in queſtion by another equally important circumſtance. They extend to *all neutral* veſſels alike; whereas the decree is confined ſolely to *American* veſſels: which proves that it is not, like the Britiſh orders, a meaſure of general policy towards all neutral ſtates, but of particular reſentment and hoſtility againſt us. It is moreover in direct violation of a treaty, which was not the caſe with the Britiſh orders. The Britiſh too had ſome provocation, and made us no profeſſions of friendſhip. We had celebrated their defeats and thoſe of their allies, by univerſal rejoicings; and had ſhewn their enemies every mark of public good will, and private affection. The direct contrary of all this took place towards France, and yet ſhe has treated us abundantly worſe.

This decree however of the commiſſioners at Cape Francois, unjuſt and injurious as it is, falls ſhort of one ſince adopted by the French agents at Guadaloupe. On the firſt of February 1797, they decreed that all neutral veſſels bound to any port in the Weſt Indies, which had been delivered up to the Engliſh and was occupied and defended by the Emigrants; and all neutral veſſels cleared out for the Weſt Indies *generally*, ſhould be liable to capture and condemnation.

The French government has never publickly confirmed or acknowledged theſe decrees; but it has never diſapproved, much leſs countermanded them: and they are carried into execution with every circumſtance of inſult and injury. The veſſels taken are ſent into one port, their papers into another, and the captains and crews into a third. When brought to trial, nothing is heard in favour of the owners; and indeed as the papers and captains are ſent to another place, there is often no perſon to make a defence, nor any means of ſupporting it. Veſſels bound to neutral, and even French ports, are often taken and condemned: copies of the condemnation are generally refuſed: the captains and crews

are ſometimes beaten, always left deſtitute of ſubſiſtance, and generally confined, as priſoners of war, in dungeons or on board of priſon ſhips; where a miſerable and ſcanty allowance of the worſt food, ſcarcely ſuffices to prolong their ſufferings.

The number of ſhips taken, as far as has yet been aſcertained, is above two hundred and fifty: there is no accurate amount either of the value of property, or the number of ſeamen.

Theſe are ſome of the marks of "juſt diſpleaſure," whereby France reminds us that ſhe is "terrible to her "enemies," and admoniſhes our government "to "return to itſelf," to conform to her orders!

In the mean time, as ſoon as the Preſident was informed by the diſpatches from our Miniſter at Paris, which have been already mentioned, that the French government expreſſed ſerious diſcontent at the meaſures we had purſued, he reſolved to ſend a new Miniſter, for the expreſs and ſpecial purpoſe, as his credentials declared, "of baniſhing ſuſpicions, effacing unfavor-"able impreſſions, and reſtoring harmony." General Pinckney was ſelected for this purpoſe, not only on account of his talents and great reſpectability of character, but alſo for his known good will to France, and warm attachment to her cauſe. He ſailed from Charleſton in Auguſt 1796, and having ſtopped at Philadelphia for his inſtructions, arrived at Paris in December following, and laid his credentials before the Directory.

The Directory however refuſed to receive him as Miniſter, and informed his predeceſſor, whoſe letters of recal had been preſented at the ſame time, *that they had determined not to receive another Miniſter Plenipotentiary from the United States till after the redreſs of grievances demanded from the American government, and which France had a right to expect.* This was ſaying in plain and expreſs terms, "we will hear nothing from you, till you "have firſt ſubmitted to our will as already made "known to you."

They even refuſed him cards of hoſpitality by which alone, according to their laws, his perſon could be protected from arreſt; and told him verbally thro' his

ſecretary, that they expected him to leave the country. They went ſo far as to intimate, that if he did not depart he ſhould be arreſted. With becoming firmneſs and dignity, however, he declared that he would rely on the protection of the Law of Nations, and muſt remain at his poſt, till he had received a written order to leave it, whereby he might be juſtified to his own government. This order they perſiſted in refuſing, till they heard of Buonaparte's laſt victory in Italy. The day after that intelligence arrived, which was towards the laſt of January, General Pinckney received a written order to quit France. He immediately went to Holland, where he now remains waiting for new inſtructions.

Thus has France not only refuſed to liſten to our explanations till we ſubmit implicitly to her will, but driven from her territory with ignominy and inſult a miniſter ſent, like a meſſenger of peace, for the expreſs purpoſe of "removing unfavorable impreſſions "and reſtoring harmony."

This to uſe the language of the Preſident in his late manly and patriotic ſpeech to Congreſs, "is to treat "us neither as allies, nor as friends, nor as a ſovereign "ſtate."

Purſuing ſtill the ſame ſyſtem, the Directory on the 2d of March laſt, publiſhed a decree, whereby our treaty with France is expreſsly violated in two important points, under pretence of aſſimilating it to that with Britain: And it is further declared "that every "American who ſhall hold a commiſſion from the ene-"mies of France, as well as every ſeaman of that na-"tion, compoſing the crew of the ſhips or veſſels (of "thoſe enemies I ſuppoſe) ſhall by *this fact alone* be de-"clared piratical and treated as ſuch without ſuffering "the party to eſtabliſh, that the act was the conſequence "of threats or violence."

This laſt regulation worthy in bloodineſs and injuſtice, of a country whoſe citizens have butchered two hundred and fifty thouſand women, carried infants to be drowned, ſtuck on the points of ſpears, and chopt off the hands of mothers ſtretched out for mercy

to their tender babes,* is ſhelter'd under the pretext of a ſtipulation in the Britiſh treaty, which provides that ſuch Americans as take commiſſions from the enemies of Britain, to *privateer* againſt her ſubjects, may, if taken by them, be treated as pirates. Our treaty with France contains preciſely the ſame ſtipulation; ſo alſo do thoſe with Holland, Pruſſia, and Sweden. It is found in almoſt every treaty, and means no more in our caſe, than that if our citizens take commiſſions from a foreign power to privateer againſt people with whom we are at peace, and ſhould fall into their hands, we will not interfere in their behalf. It extends only to our own citizens, not to thoſe of France; to ſuch as take *commiſſions* to *privateer*, not to ſailors, even on board of privateers, nor to perſons having commiſſions in public ſhips of war; not to puniſhment which we engage to inflict, but to ſuch as thoſe who take our citizens in theſe unlawful purſuits, may inflict, without our interpoſing for its prevention.

And in revenge for this wiſe, equitable, and almoſt univerſal arrangement, which, tho' it now offends France by preventing in ſome degree our ſeamen from augmenting her marine, ſhe herſelf entered into with us long before we made it with Great Britain, the French government has declared, not that in caſe of our being engaged in war, her citizens ſhall not take commiſſions from us to privateer againſt our enemies, which would be the utmoſt extent of juſt retaliation, but that ſhe will treat as pirates all ſuch of our citizens, whether with or without commiſſions, as ſhall be found on board of her enemies veſſels, whether public ſhips of war or priva-

* It has been proved by judicial proceedings, that acts of this kind took place at Nantz, under the authority of the agents of the Convention. Others equal in cruelty, happened in various other places, particularly at Lyons, Avignon, Laval, Samur, Arles, &c.

It is computed that in the year 1795; 2,000,000 of perſons had been maſſacred in France during the revolution; of thoſe two hundred and fifty thouſand were women, two hundred and thirty thouſand children, and twenty four thouſand miniſters of the Goſpel! This computation, which amounts to nearly one tenth of the whole population of France, does not include any who were killed in arms.

See a work called "the cruelties of the Jacobins," publiſhed in Paris in 1795.

teers; and with a thirſt of vengeance as inhuman as it is unjuſt, ſhe adds that they ſhall experience this treatment for the ſimple fact of being on board, tho' brought there by *threats*, or even by *force!*

Thus if an American ſeaman, has the misfortune of being impreſſed by a Britiſh ſhip, he is liable to be hanged for it by France! Such is the conduct of a nation which perpetually proclaims its own juſtice and magnanimity, and boaſts of being "generous to its allies."

This decree it might have been ſuppoſed, would fill up the meaſure of unprovoked and inſolent aggreſſion. But no! not content with acting thus towards us herſelf, France has endeavoured to excite the Dutch and Spaniards againſt us likewiſe. The poor humiliated dependant Dutch, afraid to refuſe, begged off for a while, and were excuſed. Her attempts however, in all appearance, have been renewed, and as ſhe has 25000 troops in their country, there is little probability of their being able to hold out. As for Spain, ſhe has come into the meaſure; her miniſter has lately preſented a memorial containing the complaints of his Catholic majeſty: theſe complaints are, for the moſt part, an echo to thoſe of France. There is one however, peculiar to Spain, the manifeſt and even ridiculous futility of which, may be taken as an example of all the reſt. Spain has been made to complain of the Britiſh treaty as an infraction of that concluded lately with her; notwithſtanding this Britiſh treaty was prior in ratification by more than ten months.

Thus in caſe we are driven to a war with France, are thoſe two nations to be compelled to join her, as they have done in that againſt Great Britain. Their fate in both will no doubt be the ſame. It will be out of their ſpoils that we alſo, like Britain, ſhall take our indemnification; and this affords a complete and moſt uſeful example of the arbitrary and ſelfiſh conduct of France towards thoſe powers whom ſhe can frighten or ſeduce into her meaſures. She compels them to form an alliance, for which they pay with moſt of their wealth and a part of their territories; and then ſhe forces them to join her in wars, wherein having no poſſible intereſt,

all their resources are sacrificed to promote her ambition or revenge. This is the fate she intended for us, had she been able to draw us into her snares. This was the *common cause* with her, wherein Genet was instructed to engage us; this was the meaning of those *efficacious measures* against Britain, about which his two successors never ceased to declaim.

That her object from the beginning has been to draw us into the war, is manifest, not only from the instructions to Genet, and the correspondence of his successors, but also from the measures themselves, which she wished us to adopt, from the plan of aggrandizement we see her pursuing in Europe, and from her uniform conduct towards other countries.

As to Mr. Genet's instructions, they are full and explicit; they go directly to the object, and point out, not unskilfully, the means whereby it was to be effected. This nobody has denied; but some have been of opinion, that when he was recalled, the system was abandoned.

If so, whence those reiterated complaints by his successors, that we had not adopted *efficacious measures* to make our neutrality respected by Britain, and to compel a relinquishment on her part, of rights which we acknowledged her to possess? what more efficacious measures than those which we had pursued, were in our power, short of hostility, or of what must have produced it? why did M. Fauchet on the 2d of May, 1795;* say to the secretary of state, "I hope therefore, sir, "that the executive of the United States *will not rest* "*satisfied* under its treaty with England, since every "thing proves that *that mean is insufficient*?" what did he mean by our not "resting satisfied" under the treaty? what could we do if resolved "not to rest satisfied "with the treaty," but employ coercive means to extort what according to him, the treaty had been found insufficient to obtain? why after informing us,† "that "the history of our neutrality would prove it to have "been a prey to the arbitrary conduct of Great Bri-

* See his letter of that date.

† In his letter of June 8th, 1795.

" tain," did he assert the " necessity of an *energetic and* " *vigorous reaction* on our part, and a solemn reparation, " which by giving to America what her *honour required*, " would have manifested towards the French republic the " inclinations and intentions of our government?" we had already done what we thought sufficient, or in our power for protecting our neutrality; what then beside hostility could have been meant by an *energetic* and *vigorous reaction*? why did he recal † *specially* to our attention, " the *energetic* and liberal execution of our treaty with " France, and the support of our neutrality upon a " respectable footing?" we have already put it on the most respectable footing in our power by any means short of war? why then talk to us of *energetic* measures, and a " respectable footing," unless something more was to be done, and some further means to be used? Why did M. Adet in his note of September 29th 1795, tell us that " he had no doubt but that we would *oblige* England to cease from violating the rights of nations." whence the clamour, still fresh in every one's recollection against the proclamation of neutrality, which this minister has branded as insidious, but which having no possible object but the preservation of peace, could not have given offence unless war had been desired? why did he make it a ground of complaint afterwards " that we had not compelled England to respect our neutrality;" that is, according to him, to relinquish the right of taking enemy's goods out of neutral ships? was it not manifest and well known to this minister, that we had done every thing in our power to accomplish those objects, except attacking England? how were we to *oblige* her to desist from violating the *rights of nations*, but by war?

If in fine the system of Mr. Genet, whereof an alliance offensive and defensive was manifestly a part, had been relinquished at his recal, why were all his pretensions renewed and enforced on the 15th of November, 1796; by the manifesto of Mr. Adet?

The measures themselves, which France required us to adopt, leave no doubt about her objects. In the

† In the same letter

firſt place, that we ſhould compel Britain to relinquiſh the right of taking enemies goods on board of neutral ſhips. This right ſhe knew, that Britain had always refuſed to relinquiſh in time of war; even in the American war, when ſhe ſtood alone againſt the United States, France, Spain, and Holland; and when Ruſſia, Sweden, Denmark, Pruſſia, and the Hanſe towns, had formed an aſſociation to repel the right. She had never, of late years at leaſt, renounced it even in peace, except to France herſelf in 1786; and then ſhe received very great equivalents. For us therefore, to inſiſt on her relinquiſhment of this right, during ſuch a war as the preſent, wherein her very exiſtance is ſtaked on the ſupport of her maritime ſuperiority and the extent of her commerce, France well knew would be a vain attempt, which if perſevered in, muſt infallibly end in war. On this point therefore, ſhe inſiſted with unwearied and importunate perſeverance; and made it the grand hinge of all her complaints.

So alſo, as to the impreſs of ſeamen: ſhe well knew that Britain claimed the right of impreſſing ſuch of our ſeamen as having been her ſubjects at the concluſion of the revolution war, had ſince that time come to ſettle in this country. This was a right liable to abuſe indeed, and very much abuſed, but too important to England, in a maritime war, to be relinquiſhed. This France well knew, and accordingly ſhe required us to compel the relinquiſhment; an attempt to effect which muſt of neceſſity have brought on a quarrel.

She further required us to admit a conſtruction of the treaty with her, whereby ſhe would have been permitted to arm veſſels, enliſt crews, and ſell prizes in our ports, capture Britiſh veſſels within our juriſdiction, and exclude every Britiſh ſhip of war from our harbours. To this partiality, ſo advantageous to her, and ſo hurtful to her enemy, and in no wiſe intended by the treaty, ſhe well knew that Britain would not patiently ſubmit; for the latter had already begun to complain. Had we in compliance with the importunate and clamorous demands of France, adopted this ſyſtem, there is no doubt that Britain would have oppoſed it;

for a proud and angry rival is not apt to ſee without diſcontent, favours injurious to itſelf gratuitouſly accorded to its opponent. Hence abundant matter for a quarrel muſt have ariſen. All this France knew, and ſhe urged the demand with encreaſing earneſtneſs.

Theſe were the leading meaſures required of us by France, and they all had an obvious and neceſſary tendency to bring about a war: a tendency whereof it was impoſſible for her to be ignorant. Hence the eagerneſs with which ſhe purſued them, and her vexation and reſentment at ſeeing them defeated. The ſame tendency, tho' not in all caſes equally ſtrong, may be perceived in all her other ſteps.

But it will be impoſſible to underſtand fully the views of France in this country, without attending a little to her projects in Europe.

It is perfectly well known, that ſhe long ſince formed, and ſtill purſues with the moſt ſteady perſeverance, a ſyſtem of aggrandizement in Europe, for enſuring the ſucceſs of which, it is abſolutely eſſential that the maritime power of England ſhould be reduced. Germany oppoſed barriers to her by land, which were alſo to be removed. Accordingly Germany was to be divided and a maritime coalition formed againſt England. Of this coalition the United States were to form an important part; for though we had no navy, it was known that we had the means of ſpeedily forming one, and that when once engaged in the war we ſhould be obliged to exert them. The great number of our merchant ſhips, in the mean time, the ſkill, numbers, and enterprizing character of our ſeamen, the abundance of proviſions and naval ſtores in our country, the convenience of our harbours, and above all our vicinity to the Weſt Indies, where the commerce and navy of England are moſt eaſily ſuſceptible of a deep and deadly wound, would have rendered us a moſt important ally in a maritime war againſt that power. To cut off our commerce with her at the ſame time, the importance wherof to her, though certainly great, has been far overrated by France, would greatly aid the blow.

Accordingly we find that as soon as the republic and the power of the Jacobin leaders were cſtabliſhed, and before the war with England commenced, Mr. Genet was ſent out with expreſs inſtructions to bring about this alliance; and I have been aſſured by a gentleman who about that time acted a conſiderable part in the convention, but has ſince viſited America, that this maritime coalition was early deviſed, and that "nothing "was wanting to its completion but the conſent of the "United States." "That conſent," he added, with an air of reſentment which four years have not been able to allay, "*was applied for and was refuſed.*"

In this refuſal, and in that proclamation of neutrality againſt which the miniſters of France have never ceaſed to cry out, from Genet who ſaid "it was a breach of "the treaty," to Adet who brands it as "inſidious," was laid the foundation of our preſent quarrel with France. She did not however begin the quarrel immediately; for ſhe ſtill entertained hopes of drawing us gradually into the war by fomenting our ancient differences with England, and prevailing on us, under the pretext of fulfilling our obligations by treaty and the laws of neutrality, to adopt meaſures which her antagoniſt would not have failed, and juſtly too, to conſider as hoſtile. When ſhe ſaw theſe efforts conſtantly baffled by the firm prudence of our government, and all her hopes of a quarrel finally extinguiſhed by the treaty with Britain, ſhe then ſuffered her reſentment to blaze out in the meaſures which ſhe now purſues.

In the mean time, the plan went on in Europe, and was purſued with varying ſucceſs, but undeviating perſeverance: nor did it receive the leaſt check or alteration from the frequent changes of government in France. Various factions wiſhed to rule at home, and in their ſtruggles for power, ſlaughtered each other without remorſe or forbearance: but they all had the ſame object as to their neighbours; and that object was aggrandizement to France at their expence.

They began with Germany, which being neareſt to them, it was neceſſary firſt to cripple. They conſidered it likewiſe as the moſt vulnerable, by the two wea-

pons wherewith they meant to aſſail all Europe. Thoſe weapons were *diviſion and inſurrection*. Mr. Fauchet, in his intercepted diſpatch, has informed us that France had an eye to the uſe that might be made of them here alſo.

Germany is compoſed of a great number of independent powers, ſome of them very inconſiderable, and all held very looſely together by a kind of league, at the head of which is the emperor. Auſtria, which compoſes the peculiar dominions of the emperor, is by far the moſt powerful of the German ſtates, and poſſeſſed alſo of very extenſive dominions out of Germany, eſpecially in Italy and Belgium. Pruſſia comes next, which tho' formerly inconſiderable, was raiſed by the talents and long reign of the late king to a very high pitch of power and importance. This power regards itſelf as the rival of Auſtria, againſt which it entertains a jealouſy mixt with reſentment and dread. Theſe two great powers mutually balance and controul each other in the affairs of Germany; and the ſmaller ſtates adhere ſome to the one, and ſome to the other, as general policy or particular motives may happen to dictate.

It is eaſy to ſee how abundantly the ſeeds of diviſion are ſown in this ſyſtem. Theſe were alſo circumſtances which ſeemed to favour the plan of exciting inſurrection.

All the governments of Germany, except a few towns, were arbitrary in their form; and ſome of them very oppreſſive in their practice: and altho the apparent vices of theſe governments were greatly corrected by mild cuſtoms and fixt laws for the ſecurity of perſon and property, which could not eaſily be violated; yet there, as in all other countries where a vaſt population, and its certain conſequence great inequality of conditions, have taken place, there were great numbers, who poſſeſſing little, and obliged to gain their ſubſiſtance by conſtant labour, would naturally look with an eye of diſcontent on the wealth and privileges of the ſuperior claſſes. It was by this deſcription of people that France meant to work. It was by exciting them to inſurrection, that the perſons who then directed her affairs, had en-

flaved their own country, after overturning a government eſtabliſhed by free and general conſent; and it was by the ſame engine that they intended to ſubjugate Germany, having firſt ſubverted and trampled under foot thoſe governments whereby her force had been united and directed.

Thoſe who had nothing, were to be the inſtruments abroad, as they had been at home; and they were to be ſet to work by pointing to the plunder of thoſe who had ſomething. Their exertions were to be aided by large bodies of French troops drawn to the frontiers, and held in readineſs to profit by circumſtances. To repel ſome ſmall aſſemblages of French emigrants, whom the Emperor himſelf had compelled to diſperſe, was the pretext for theſe armaments; meanwhile every expedient of fraud and diſſimulation was uſed to lull the vigilance of the German ſtates, and enflame their reſentments and jealouſies againſt each other.*

* The French carried this diſſimulation ſo far, as to aſſure the Emperor, that they abhorred the idea of exciting commotions; and when England afterwards complained of their meaſures for this purpoſe, they aſſured her that thoſe meaſures were not meant to affect her, but were *excluſively intended againſt Auſtria, and Pruſſia!* See the correſpondence.

Nothing can be more inconteſtible than the poſition, that France was the aggreſſor in the preſent war. Any one who will read the correſpondence between the courts of France and Vienna, will find that before the Auſtrians and Pruſſians began to arm, or took any hoſtile meaſures of any kind, France threatened and alarmed Germany and the low countries by great military preparations on their frontiers. This was not denied by France, but ſhe juſtified it under various pretexts. One was, the neceſſity of repelling the emigrants. But the forces collected were ten, perhaps twenty times more numerous than the emigrants who were collecting in arms. The Emperor had moreover forbidden them to aſſemble in arms on his territory. He had actually compelled them to diſperſe; and had induced the German princes in the neighbourhood of France to adopt the ſame ſyſtem. Some ſmall corps of emigrants did notwithſtanding remain in arms in different places, but not on the Emperors' territories; and they were too inconſiderable to give any alarm to France. Another pretext was, the convention of Pilnitz; but this convention was in its very nature defenſive and eventual. It was an agreement between the emperor and the king of Pruſſia, that if either of them ſhould experience thoſe attacks from France wherewith they were threatened, they would aſſiſt each other; and moreover, that they would protect the king of France from perſonal violence. They did not arm in ſupport of this convention; and as ſoon as the king gave his aſſent to the conſtitution, and declared himſelf free, they ſuſpended the convention by a public declaration. Another pretext was, that the emperor had ſent additional troops into ſome of his frontier dominions, and had directed one of his generals to march to the aſſiſtance of

The king of Prussia, however, and the emperor, threatened alike by this common and formidable danger, resolved to suspend their animosities, and unite in measures for their common defence. France required them to relinquish those measures, to disarm while she was encreasing her forces on their frontiers; and when they refused, she immediately declared war against them. Her minister at Vienna, at that time declared, that the emperor was disposed for peace. Her minister for Foreign Affairs declared the same thing, and a proof

a certain German prince should he be attacked. But the emperor had a right and was also bound, to assist the German states if attacked; and as to the additional troops, they did not exceed four thousand, the usual compliment of recruits sent annually to his peace establishment in that quarter: while France had drawn a large army to the same quarter. These facts were stated on the part of Austria in the correspondence, and not denied by France. A fourth pretext was, that the emperor gave protection to the emigrants; but he gave them an asylum only and hospitality, with an express prohibition to arm on his territories. France demanded of him to reduce his troops, while she expressly refused to reduce hers, to drive away the emigrants, and to abandon the convention of Pilnitz; and because he refused to comply with these demands, she declared war against him. The same happened with respect to Prussia.

The French minister who was at Vienna, when the war broke out, declared it as his opinion, *that the system of the empe or was pacific.* Mr. De Lessarts who was minister for Foreign Affairs in France at the same time, and who carried on the correspondence which preceded the war against Austria and Prussia, wrote a letter afterwar s to Mr. Neckar, in which he declares "that it was clear to demonstration, that they (the Austrians and "Prussians) were unwilling to make war against France; that it was evi- "dent from unanswerable proof, that France provoked them to hostilities, "and set all Europe against her." See Neckar's address to the French people in behalf of Louis the sixteenth, wherein this letter from De Lessarts is cited.

The testimony of Brissot to the same point, will perhaps be thought worthy by some of more credit. When accusing the French king in the Convention, of want of fidelity to the nation, he charged him with *unwillingness to attack Austria*, and exclaimed "we," meaning himself and his party, "compelled him to declare war, in order to put him to the test." After the king was dethroned, Brissot justified the war, and took the credit of it to himself and his friends. "Without the war, says he in his gazette of September 22d 1792, the revolution of the 10th of August would never have taken place; without the war, France would never have been a republic," and in his address to his constituents (page 56) he declares "that the war with Austria was forced on France by outrages and threats, and that to ensure success, she was *obliged to begin it.*" It has already appeared what these "outrages and threats" were, and we have the testimony of Brissot himself that it was not by them that the war with Austria was rendered necessary, tho' they were used as the pretexts. It was to bring about the revolution of the 10th of August; to give the Bris-

of it is, that *three months elapsed after this declaration, before the Auſtrians and Pruſſians were able to collect an army on the frontiers of France ſufficient for offenſive operations.

The Emperor's dominions in Belgium, being at a great diſtance from his other territories, and in the cloſe

ſatine party arms, wherewith they might deſtroy the king and conſtitution, and afterwards rule the nation under pretence of eſtabliſhing a republic. In the mean time it being clear that every man's teſtimony is good againſt himſelf, we muſt believe on that of Briſſot, that he and his party *began the war againſt Auſtria.*

As to Holland, they declared war againſt her, without ceremony or pretence; except that ſeeing her frontiers approached by war, ſhe had taken ſome precautions purely defenſive. They even violated her acknowledged rights before ſhe began thoſe precautions.

With reſpect to England, it is perfectly certain that France was the agreſſor; beſides the facts and papers, which ſpeak for themſelves, the point is eſtabliſhed by the poſitive teſtimony of three French writers, all well informed, and two of whom acted a very conſiderable part in the revolution and in the war. Theſe are Calonne, Briſſot, and Dumourier; all of whom affirm that France attacked England. Briſſot was a leading member of the Convention at that time, and when he was afterwards brought to the block, one of the charges againſt him was, his having been the author of the attack. He replied that Robeſpierre's party were the authors of it: but he did not ſay that France was not the aggreſſor, which would have been a complete juſtification. On the contrary, he aſſerted that France was the aggreſſor moſt unwiſely, and that Rob. ſpierre's party had induced her to become ſo. In his appeal to his conſtituents, he ſays the ſame thing over and over: In this appeal (page 47) he expreſsly aſſerts, that England *did not begin to arm till three months after France.* He alſo ſays (page 60) "that a determination had been made to brave all Europe."

In October 1792, the Convention, as appears by the ſame authority, had ordered formidable naval equipments to be made *in the expectation of a war with the maritime powers.* This was previous to moſt, if not all, of thoſe acts on the part of England, which France made the grounds of her declaration of war.

Dumourier loudly charges the Convention with having driven England into the war, which he repeatedly declares might eaſily have been avoided. See his life 3d vol. containing the hiſtory of his campaigns.

It muſt at the ſame time be admitted, that altho' the combined powers were attacked and driven into the war in their own defence, yet, when they found themſelves engaged in it, and began to entertain proſpects of ſucceſs, they alſo began to form projects of aggrandiſement at the expence of France. It is alſo highly probable that moſt of the powerful governments became very little averſe from war, when they found reaſon to ſuppoſe that France by her internal commotions, and the univerſal indignation which the execution of the king and the murders at Paris had excited againſt her, had become an eaſy prey. It is not however, the leſs true, that France began the war, particularly againſt Holland and England, which for a long time ſhewed every appearance of deſiring peace.

* The declaration of war was April 20th 1792. The duke of Brunſwick did not begin his march from Coblentz till July 27th, 1792.

neighbourhood of France, were expoſed to an immediate and eaſy attack. They were alſo thought more obnoxious to the weapon of *inſurrection* than any other country; for tho' they enjoyed the freeſt conſtitution of any people on the continent of Europe, except the Swiſs and Dutch, ſome invaſions of their rights attempted by a former Emperor, had planted deep the ſeeds of diſcontent and diſtruſt. Theſe attempts had been given up by Auſtria, but the jealouſy and reſentment inſpired by them, were far from being extinguiſhed. Theſe ſparks it was the care of France to fan by emiſſaries and promiſes; and when her armies entered the country, they were preceded by declarations that they came as the friends of the people, to aſſiſt them in breaking the chains of their ancient tyrants.

We have already ſeen what kind of friendſhip it was which they had for the Belgians, and how the chains of this deluded people have been broken. They have been plundered of every thing they poſſeſſed to repleniſh the treaſury of France, drained of all their reſources to ſupport her armies, and are now ſubject to a military government.

England for a while was let alone: It was not the ſeaſon yet for attacking her, till Auſtria and Pruſſia ſhould be exhauſted, Holland ſubjugated, and Belgium annext to France. The maritime coalition, moreover, had not yet been formed; conſequently the plan againſt England was not yet ripe. Correſpondence in the mean time was kept up with the revolutioniſts in England and Ireland, open encouragement was held out to them, and their deputations had public audiences from the French convention.

The Britiſh government was alarmed at theſe meaſures. It alſo took umbrage at the proceedings in Belgium, and the attacks made on Holland, with which laſt it was in alliance. It complained of theſe attacks, and of the decrees whereby the Convention had made a formal promiſe of ſupport to the inſurgents of every country. The Convention juſtified the attacks on Holland, and aſſured England that the decrees had been miſunderſtood; that they meant nothing at which any

government ought to be offended, and were only to be executed in cases where a whole people having resolved to change their government, should call for the assistance of France. On the same day when these assurances were made, the Convention sent commissioners into Belgium to execute those decrees, with instructions to "treat as enemies all persons, *and even whole countries*, "which should refuse to alter their governments accor-"ding to her will."

England in the mean time, justly considering these explanations as deceptive and unsatisfactory, went on with her preparations for the defence of herself and her ally. France required her to desist; and when she refused, and sent away a minister who employed himself in exciting sedition, war was declared against her. This war many of the politicians of France condemned *because it was declared too soon:* and yet they confessed that France had begun to arm for it, three months before England. ‡

‡ If any are in doubt of all this, or ignorant of it, they are requested to read the correspondences between France and Austria, those between England and France, the speeches and reports of Brissot and his address to his constituents, and the relation published by Chaussard one of the commissioners for executing the decrees in Belgium, wherein he gives an account of his own proceedings, and explains the plans of the Convention. The reply to Brissot's address by Camile Desmoulins, in behalf of the Robespierrian party should also be consulted; and Necker's address to the French in behalf of Louis the sixteenth. Brissot in one of his letters declares, "we, the French, must set fire to the four corners of Europe;" Camille Desmoulins in his reply, asserts, "that *to disorganize Europe* was "one of the sublime vocations of the Convention:" Brissot in his address, asks "what did enlightened Republicans wish before the 10th of "August? (the day when the king was dethroned) men who wished for "liberty not only for their own country, but for all Europe? They believed "that they could generally establish it, *by exciting the governed against the* "*governors and letting the people see the facility and advantage of such insur-*"*rections.*" But Chaussard explains himself, and developes the system, most fully. "No doubt," says he, "it was the interest of France to raise "and secure *by conquest* the trade of the Belgic provinces, so cramped by "that of Holland; and thence to threaten and alarm the United Provinces, "to place our assignats on the very desks of their counting houses, *there to* "*ruin the bank of England*, and in short, to complete the revolution of the "money system. It was the interest of France to monopolize as it were, "these vast implements of trade, these manufactories of national prosperi-"ty. It was the interest of France to weaken her mortal enemy (the "Emperor) to cramp his efforts, *to aggrandize herself with his spoils:* in "short to mutilate the colossus of Austria, by rending from him these

In the courſe of the war, means were found to detach the king of Pruſſia by working on his avarice, exciting his ancient rivalſhip and reſentment againſt the Houſe of Auſtria, and tempting him with the proſpect of a ſhare in its ſpoils. The price of this defection lay long concealed in the ſecret articles of the treaty of peace: and the king of Pruſſia remained quiet, being kept in awe by the Empreſs of Ruſſia who threatened him in caſe he ſhould make any attempts againſt the Houſe of Auſtria or the Germanic body.

" fertile provinces of Belgium, for obtaining and ſecuring the poſſeſſion " of which, he has for ages been laviſh of gold, of blood, and of in- " trigues."

Thus alſo it was the intereſt of France to mutilate the coloſſus of England, by rending from him the colonies in America. And yet ſhe tells us and the Belgians of her *diſintereſted ſervices* in giving our independence.

" England and Pruſſia," continues Chauſſard, in the words of a ſpeech which had been delivered in the Convention, and approved of by it, " know very well that France had the greateſt intereſt to ſubſtitute a " popular and reprefentative government for the ariſtocratic and degenerate " one that actually exiſts in Holland: that *with the forces* of that country, " France would *irrecoverably deſtroy the trade of England*, and by means of " her navy ſoon command the Baltic; that all that would be wanting " would be the renewal in that part of the North, of an alliance of ſitua- " tion then become neceſſary; and that an intimate union between France " and Holland being once formed, *the ſupremacy of the Engliſh trade both in* " *the Eaſt and Weſt Indies would rapidly diſappear*; while Pruſſia on her " ſide would irrecoverably looſe, ſooner or later, all her poſſeſſions in " Weſtphalia "

Here the plan ſtands confeſſed, The Emperor was to be ſtript in Belgium, and the king of Pruſſia in Weſtphalia. The bank of England was to be ruined by operations in Holland, and a popular government ſubſtituted in that country, in order to place its forces under the direction of France; and with theſe forces aided by her own, France was to deſtroy irrecoverably the trade of England in Europe, and make its ſupremacy both in the Eaſt and Weſt Indies rapidly diſappear. And all this was to be effected, by ſetting fire to the four corners of Europe, and exciting the people every where to inſurrection againſt the government. It muſt be confeſſed that a project ſo atrocious in its end and ſo abominable in its means has never been conceived before, not even by the Romans.

While all this was going on, the Convention, in order to hoodwink England, was making to her the moſt ſolemn aſſurances of pacific intentions. It even carried its diſſimulation to the almoſt incredible length of requeſting the mediation of England to bring about a peace with Pruſſia and the Emperor.

A further and a very ſtrong confirmation of theſe points is found in the date of the inſtructions to Genet, the manifeſt object of which was to bring the United States into a war againſt Great Britain. Theſe inſtructions were ſigned January 3d, 1793, the ſupplementary inſtructions, January 17th, 1793; Mr. Chauvelin was ordered to quit England January 24th, 1793, and war was declared againſt England February 1ſt, 1793. If this diſſmiſſal was the occaſion of the war, as France alledged, why thoſe inſtruc-

The Empreſs however being lately dead and her ſucceſſor having adopted ſome meaſures from which it was thought that weakneſs of character and incapacity might be inferred, if not a diſpoſition favourable to the views of France, the ſecret articles have come to light, and the king of Pruſſia has aſſumed a very threatening tone and aſpect towards Auſtria. The Emperor of Ruſſia however, it is ſaid, has given him to underſtand that he muſt be quiet, or expect an attack from the whole force of the Ruſſian empire. Thus much is certain, that his hoſtile movements have abated; and thus the plan of turning the force of Germany againſt itſelf, has once more been defeated.

Belgium has in the mean time been over-run, and Holland has been ſubdued, partly by force and partly by diviſion: for France openly and avowedly raiſed up and ſupported a party againſt the government in the boſom of the country, which was powerfully inſtrumental in promoting her views. Spain alſo, too feeble and ſpiritleſs to defend itſelf, ſunk under the arms of France, and has been compelled to join her in the war.

In this ſituation France finding her ſchemes oppoſed only by the vaſt maritime power of England, and the unbroken courage and conſtancy of Auſtria, formed the reſolution of deſtroying the commerce of England, thereby to cut of her pecuniary reſources, and ſap the foundation of her naval ſtrength. This plan rendered the co-operation of the United States more important to her than ever; for ſhe conſiders us as one of England's beſt cuſtomers, and conſequently as the nation which contributes moſt to the ſupport of her commerce, her

tions before the diſmiſſal? Had France been diſpoſed for peace, as ſhe alledged, would ſhe on account of this diſmiſſal, have declared war within ſix days after it took place?

And yet there are men, men too of talents and information, who remain blind to all this! Who while France was openly forming projects of empire againſt all her neighbours, and openly preſſing forward their execution, by every mean of artifice and force, believed that ſhe was injured and attacked, becauſe in the face of her own acts, ſhe ſaid ſo! From a late pamphlet publiſhed by Mr. Erſkine, and containing an ingenious and plauſible apology for the Engliſh oppoſition, it appears that he and his friends in Parliament, who certainly have high prentenſions to ability and information, are ſtill perſiſting in this error of regarding only the declarations of France, and wholly over-looking her actions.

manufactures, and her wealth. Our ſituation too in the neigbourhood of the Weſt Indies, our abundance of proviſions and of warlike and naval ſtores, and the great number of our ſhips and ſeamen, would enable us to be very hurtful to England in war, as well as very uſeful in peace. By ſuch a war indeed we ſhould ſuffer greatly, but that is no part of the care of France.

Accordingly ſhe has unceaſingly renewed, and preſſed with greater and greater eagerneſs, her indirect attempts to bring us into the war. Foreſeeing that her hopes of ſucceſs would be greatly leſſened, if not wholly deſtroyed by the treaty, ſhe oppoſed it with all her might and in all its ſtages. Even the unconſtitutional oppoſition to it in the Houſe of Repreſentatives, ſhe aided by every mean in her power. Finding all her attempts finally fruſtrated, her vexation and ill humour no longer knew any bounds, and ſhe reſolved to try different means for effecting what ſhe had in vain eſſayed to bring about by intrigue.

That this is the true ſpring of her conduct, that her anger at the Britiſh treaty does not ariſe from any of its particular proviſions, but from its general tendency to preſerve peace between this country and Great Britain, is proved in the moſt manifeſt manner by the conduct ſhe purſues at this moment towards other neutral nations who have made no treaties with England. She has long threatened Portugal with invaſion by the Spaniards, unleſs ſhe will ſhut her ports againſt the Engliſh. She has lately required Hamburg and Bremen to break off all commerce with England, and on their refuſal has recalled her miniſter from Hamburg. She has made the ſame demand on Denmark; and even required the Danes to block up the mouth of the Elbe, a river not in their territories, againſt the Engliſh. We have not heard the pretext for theſe demands, which Denmark has pointedly refuſed; but no doubt they were founded on the French conſtruction of *the laws of neutrality*; the ſame laws whereby, according to France, the Swiſs were bound to drive the emigrants from their territories, and we to permit her to raiſe armies, equip ſhips of war, and ſell prizes in ours.

That such is the real project of France and the true source of her anger at the British treaty, is further proved by the testimony of General Pinckney, who having travelled thro' a great part of France, and continued near two months in Paris, had the best means of penetrating their views. In his letter from Paris of Feb. 1st. 1797, he says, "I most ardently wish that we would "banish all party distinctions and foreign influence; "and think and act only as Americans—for all parties "in this country (France) unite in thinking that we "ought to act *as if we were altogether their dependants*, "and indebted to them solely, and not to our own "exertions, for our liberty and independence. *Hence*, "our treaty with Great Britain is here generally exe-"crated; and our having *any kind of commercial connec-"tion* with that country, *even if the treaty had not been "made*, would I believe, have been disliked. They wish "to destroy the trade of England, and they look upon "us as one of her best customers; *and to obtain their "object they care not what we suffer.*"

This is the testimony of a man remarkable for the warmth of his good wishes towards France, and who, if he did not dislike the British treaty, certainly never said a word in its favour. From his testimony, as well as the evidence of their own conduct, it manifestly appears that their dislike to the treaty does not proceed, as they pretend, from any stipulations in it injurious to them, but from its tendency to preserve an amicable intercourse between us and England.

The united force of all these considerations, drawn from the instructions to the ministers of France in this country and their conduct here, from the plain and direct tendency of the measures which she wished us to adopt, from the nature of her plans in Europe, and from her recent conduct towards the neighbouring powers, establish in the most incontrovertable manner the opinion, that her object always has been to draw us into the war. This point is still further confirmed by another event. It has been proposed thro' the Dutch, to our minister at Holland, as appears by his letter of

Nov. 4th 1796, that we ſhould make *common cauſe* with France and Holland againſt England, in order to compel her to relinquiſh the right of taking her enemies goods on board of neutral ſhips, and " to reſtore " peace to the two Hemiſpheres."

This leads us to enquire what are the motives of her preſent conduct; and gives us alſo the clue whereby they may be diſcovered.

It is impoſſible to ſuppoſe that the meaſures lately adopted by France can mean no more than retaliation for the injuries which ſhe pretends to have received. Admitting thoſe injuries to have taken place, and many of them ſhe knows never did take place, admitting all her pretenſions to be well founded, and many of them ſhe knows not to be well founded, ſtill thoſe injuries and pretenſions could never have authorized her preſent proceedings. The detention of a few privateers, and the reſtoration of a few prizes by our courts, even if illegal as ſhe pretends; the privileges ſaid to be ceded to Britain, even had they been ceded; the prohibition to arm veſſels and ſell prizes in our ports, had ſhe poſſeſſed a right to *do* ſo; the ſuffering a few Britiſh ſhips of war to violate our neutrality, even had we ſuffered it; more eſpecially conſidering that all theſe pretended injuries were much more than counter-ballanced by real ones from her; could never have occaſioned, much leſs authorized, the univerſal capture and condemnation of our property, the impriſonment, and in many caſes which may occur, the death of our citizens, and the expulſion from her territory of a miniſter ſent to conciliate. Some other cauſe muſt be ſought for aggreſſions ſuch as theſe.

Still leſs can it be believed that mere anger and vexation at the diſappointment of her views, could have given riſe to them. They may, and no doubt, have been much aggravated by this cauſe, but it could not have produced them.

Nor can it in my opinion, be ſuppoſed that a deſign to drive us into a ſerious quarrel with her, can have given birth to theſe meaſures. She too well knows the conſequences of ſuch a quarrel to herſelf, and its neceſ-

fary effect in counteracting her moſt favourite ſcheme, to force it upon us. Her moſt favourite ſcheme is to undermine the naval power of England, by deſtroying the commerce whereby it is nouriſhed and ſupported. Hence her requiſitions to Denmark and the Hanſe Towns; hence the precipitation wherewith ſhe forced Holland and Spain into the war againſt England; hence her threats to Portugal; hence the violence wherewith in contempt of every right and every engagement ſhe ſeized Leghorn, a neutral port, in which England carried on an extenſive trade; hence her oppreſſions at Genoa; and hence too her unwearied efforts to work up the diſcontents between us and Britain into an open rupture. The direct and even the avowed object of all theſe meaſures has been to ſap the very foundations of the Engliſh power, by excluding its commerce from every port. But France well knows that a quarrel between her and this country would of neceſſity bring us nearer to England. She knows that having then a common intereſt with England againſt her, this common intereſt would beget an union of means, and a co-operation of meaſures. She knows that our commerce armed for its own defence would float ſafely into the ports of England, under convoy of the Britiſh flag. She knows that Britain would gain our ports as ſtations for her ſhips, would be permitted to recruit her marine among our ſeamen, and to draw ſupplies of all ſorts from our country, while ſhe herſelf would be excluded from all theſe advantages. She knows that as a conſequence of theſe united meaſures, her colonies and thoſe of Spain and Holland, which ſhe juſtly conſiders as her own, would be inſtantly deprived of all ſupplies, and muſt ſink under the arms of the two countries. She knows that the American market, already ſo great, and increaſing with a rapidity ſo incalculable, muſt in that caſe be ſecured almoſt excluſively to England, and wholly ſhut to herſelf and her aſſociates. She knows that by a war with her we ſhould be compelled to call forth our reſources for the formation of a marine, which would place us in a ſituation to be ſtill leſs in fear of her power or in need of her aſſiſtance. She knows, in fine, that a

war againſt her, in which we muſt co-operate with England would have a powerful tendency to reſtore that union of intereſts, of means, and of good will between the two countries, which for half a century paſt has been the object of her jealouſy and dread, and which ſhe has undertaken two wars to break. Her policy, as profound as it is attrocious, will not be confined to the preſent time only, but looks forward to the period, not a remote one, when the United States muſt, in the neceſſary courſe of nature, become the moſt numerous, the moſt opulent and the moſt powerful nation on earth.

I cannot therefore be perſuaded, that France intends to quarrel ſeriouſly with this country. To think ſo I muſt ſuppoſe that her counſels are guided by paſſion and not policy, of which I have perceived no appearance. I have obſerved much wickedneſs in her plans, but no folly. I have obſerved a determination in her to oppreſs where ſhe thought it advantageous, and to deceive where ſhe could not oppreſs; to drive or ſeduce every nation into her meaſures, in order to cruſh by their aſſiſtance thoſe whoſe power ſhe dreaded, and and on whoſe vigilance ſhe could not impoſe; in fine, to ſacrifice without remorſe to her ambition, all thoſe whom ſhe found weak enough to become her inſtruments under the name of allies: but I have not obſerved a neglect of the means whereby her ſchemes were to be promoted, much leſs a ſyſtem of meaſures calculated to defeat them; and I firmly believe, that nothing could ſo obviouſly and ſtrongly tend to defeat her ſchemes againſt England as that cloſe union of meaſures and intereſts between the two countries, which a quarrel between us and herſelf muſt produce.

The very anxiety which ſhe has diſcovered to place the vaſt weight of this country in her own ſcale, is a ſecurity that ſhe does not intend to throw it into the ſcale of her adverſary.

Her meaſures therefore, I believe, have a different and indeed an oppoſite object. Having failed to ſeduce, ſhe now is attempting to drive us into her ſchemes. The means which ſhe employs for effecting this pur-

poſe, though moſt unjuſt and attrocious, are wiſe according to the information on which ſhe acts. By this information ſhe has been wholly deceived: we know that ſhe has been deceived, in what manner and to what extent, and this knowledge gives us the true key to her preſent conduct.

In the firſt place ſhe has been deceived by the meaſures of our government. She has ſeen in them a moderation and forbearance, a deſire of peace, and a patience under her numberleſs acts of inſult and injury, which ſhe has conſtrued into a mean, ſpiritleſs, and ſubmiſſive diſpoſition. Having no idea herſelf of juſtice, good faith, or moderation, ſhe cannot conceive of them in others; and the acts which they produce, ſhe attributes to avarice, weakneſs, or fear.

To the ſame motives has ſhe imputed the ſpirit of peace and conciliation which our government has diſplayed towards England.

She has been deceived by the conduct of that party in our government, whereby the meaſures of which ſhe complains, have been oppoſed. Obſerving that this party had always expreſſed very warm good will to her, and a ſtrong attachment to her cauſe, and had advocated a ſyſtem of meaſures much more conformable to her views, than that which was finally adopted, ſhe took up an opinion that they were actuated, not by a deſire to promote what they believed to be the good of their own country, but by a blind devotion to her intereſts. She believed, and ſtill does believe, this to be a French party, ready to go all lengths in aſſiſting her projects, and ſufficiently powerful, if not to direct the government according to her will, at leaſt to prevent it from taking effective meaſures againſt her. It muſt be confeſſed, and a painful confeſſion it is, that there are ſome individuals whoſe conduct has given too much reaſon for this opinion; but it is alſo moſt certain that France has fallen into an utter miſtake about the views and principles of this deſcription of our fellow citizens in general. They, like the reſt, advocated certain meaſures not becauſe they were thought deſireable to any foreign power, but from a belief that they were calculat-

ed to promote the good of this country: and France ſhould ſhe puſh her experiment, will find that however the Americans may differ in opinion about the beſt method of conducting their own affairs, there will be but one mind and one ſpirit among them on the queſtion of repelling foreign aggreſſion and foreign interference.

France has alſo been deceived by the conduct of the people in this country. At the commencement of her revolution ſhe ſaw them every where diſplay the ſtrongeſt proofs of attachment to her cauſe, and good wiſhes for her ſucceſs. She ſaw her miniſter, on his arrival in the country, received with the warmeſt cordiality. She heard the whole American people exultingly hail the birth of a new republic, in a nation which they fondly called their ally and friend, and to which they were proud to acknowledge their obligations and their gratitude. Far from aſcribing theſe generous effuſions to their true ſource, ſhe regarded them as proofs of a blind and ſlaviſh attachment to her intereſts; and when ſhe ſaw the government repel her attempts, and ſteadily refuſe to come into her meaſures, ſhe ſuppoſed that it acted in oppoſition to the wiſhes of the people, by whom in caſe of a ſtruggle, it would not be ſupported.

She had obſerved alſo a ſtrong and univerſal reſentment, excited throughout this country, by the aggreſſions of England; and this ſhe conſtrued into a deadly and laſting hatred to the Britiſh nation, which would at all times incline the people to war with it, and render any co-operation or union of meaſures between the two countries, difficult if not impoſſible,

In theſe two points, ſhe miſtakes as widely as in the former. We were delighted with the French revolution, becauſe we thought that it would beſtow liberty and happineſs on a great people. We felt affection to France becauſe we conſidered her as our ally and our friend. We felt grateful for her aſſiſtance, becauſe it had been highly uſeful to us. But when theſe ſervices are made the pretence for the moſt inadmiſſible demands, when, inſtead of an ally and a friend, we find her a proud and unjuſt aſſailant, we feel a reſentment proportioned to the injury, and ſtrengthened by the re-

flection, that this injury comes from a quarter, where we had given friendſhip and expected to receive it.

So, with reſpect to England, when her injuries ceaſed and an honourable reparation was agreed to, we thought our reſentment ought alſo to ceaſe.

In theſe miſtakes there can be no doubt that France has been greatly fortified by her emiſſaries in this country, and by ſome of our citizens both here and in Europe. They have confirmed her in the idea, to adopt the expreſſion of general Pinckney, in his letter of Dec. 20th, 1796, "that our government acts upon princi-"ples oppoſed to the ſentiments of a large majority of "our people; that we are a people divided by party, "the mere creatures of foreign influence, and regard-"leſs of our national character, honour and intereſt."

Believing therefore, that the government, torn by party, is too feeble to reſiſt her; that thwarted in its operations by the affections, the ſentiments, and the wiſhes of the people, it will be unable to oppoſe any effectual exertions againſt her attacks; that a powerful party in the government, and a great majority of the people, will take part with her againſt the government itſelf, or at leaſt will withhold from it all effectual ſupport; that the people, wholly immerſed in the purſuits of gain, have loſt that martial ſpirit whereby they were diſtinguiſhed in the late war, and will ſubmit to any indignities or injuries, rather than riſk their perſons and wealth in a conteſt; ſhe has come to a reſolution to attack and pillage us, to mal-treat us in every manner, and to refuſe all intercourſe with us, in the firm perſuaſion that the government, however unwillingly, will be obliged to yield, and that we ſhall ſubmit to her terms, as the price of her forbearance.

Theſe terms, in ſubſtance and neceſſary effect, are a rupture with Britain and the excluſion of her commerce from our ports; and ſuch a conſtruction of the treaty with France, as ſhall permit her to arm veſſels, inliſt crews, and ſell prizes in our country, free from the interference of our courts of juſtice.

Should ſhe even fail in this, ſtill ſhe has no doubt that we, from our deſire of peace, will always be ready to

make an accomodation, and to relinquish our claim to indemnity as the price of deliverance from further aggression. In the mean time she will accomplish, she thinks two very important objects; she will wound the commerce of England thro' our sides; and by plundering us, she will not only acquire some aid to her treasury, but also give employment and support to great numbers of her people. A third object and of no small importance, will be the destruction, in part, of our resources; whereby we should be rendered more dependant on her as allies, and less formidable as enemies.

Such in my opinion, my fellow citizens, are the objects of France in her present measures towards this country; and I am firmly persuaded that the only method of inducing her to abandon those measures, is to convince her by our conduct that they will not be effectual: to convince her by firm united and vigorous measures, that her opinions respecting us are erroneous; and that we are determined, at all hazards and under any possible sacrifice, to maintain our rights, repell unjust attacks, and seek reparation for injuries wantonly committed: that we are not a feeble, pusillanimous or divided people, opposed to our own government, and ready to acquiesce in or aid the interference of foreigners in our affairs. We ought to shew them at the same time, that while we are resolved to repel injury, we are willing to make every reasonable advance towards a just accomodation: that while we prepare firmly and vigorously for war, we are desirous of cultivating peace, as long as any hope of preserving it remains: that altho' we mean to appeal firmly to the sword if driven to that extremity, we shall make the appeal with reluctance and regret.

This is the system recommended by the President in his speech to both Houses at the opening of Congress. He declares his resolution to make another attempt to negociate and recommends that this attempt should be fortified and seconded by serious preparations at home. This will give weight to our complaints, and should redress be refused, will place us in a situation to meet the unfavorable event with energy and success. I perfectly concur in these sentiments and shall give my voice for

supporting them in the House in the most efficacious manner. The subject is now under discussion, and I have reason to believe, that the system recommended by the President will be adopted.

This system is exactly conformable to that which was formerly adopted respecting Britain. When Britain, after repeated remonstrances on our part, continued her depredations on our commerce, though in so doing she broke no treaty, though she did not recal her minister or drive away ours, we resolved to prepare for resistance, but in the meantime to make another attempt by negociation; and fortunately the attempt was successful. Britain gave up her measures, and agreed to make restitution for the past. Should France be induced to act in the same manner, we shall once more have the satisfaction of seeing our rights vindicated by that union of moderation and firmness which has heretofore redounded so much to the honour and advantage of our country. Should she refuse and war prove necessary, the recollection that we have done all in our power to avoid it, will enable us to support the struggle with unanimity and fortitude.

Should the system recommended by the President be adopted, it is impossible to foresee what particular measures of preparation will be preferred. As to the person to be sent to France, there can be no doubt that it will be general Pinckney. The firmness, good sense, and moderation which he displayed while in Paris, reflect honour on himself and the country, and have received universal approbation here. It is agreed by all parties, that our honour and interests can be no where safer than in his hands.

Such, my fellow citizens, is the system of measures towards France, which in my opinion, ought to be adopted. I am persuaded that they intend not to make war upon us, but to scourge and frighten us into submission: and that the only possible method of making them desist from the attempt, is to convince them, not merely by declarations, but by effectual preparations for war, that we are not frightened, and will not submit to be

ſcourged. When they underſtand this, I am fully perſuaded that they will abandon their project. Our negociation I believe will be ſucceſsful, but the foundations of its ſucceſs muſt be laid in the Houſe of Repreſentatives; and thoſe foundations muſt be vigorous and effectual preparations for war. We muſt conſider ourſelves as in the preſence of a bully, who can be prevented from ſtriking us in no manner but by ſhewing him that we are able and reſolved to return the blow.

Should I however miſtake in all this, ſtill the ſame ſyſtem will be right. Should the views of France be different from what I have ſuppoſed; ſhould the plan of French aggrandizement, to borrow the words of an eloquent ſpeaker in the houſe of repreſentatives, require America to be driven into the war, war we ſhall have, in ſpite of all our peaceable endeavours to avert it: and in that caſe, the ſooner we ſet about ſerious preparations, the better we ſhall be able to repel and retort the attack.

Thus in either caſe, our courſe muſt be the ſame. Whether France intends to make war upon us, to bully us, or under pretence of "juſt diſpleaſure" to continue her depredations on us for the purpoſe of injuring England, as long as we will ſubmit to them, ſtill our wiſdom lies in ſpeedy and effectual preparation.

Should any aſk, what are the ſacrifices we muſt incur by a war, and what are our means of becoming formidable to France? I would anſwer that as to ſacrifices the greateſt we can make is that of our rights and our independence; that war is an evil always to be avoided, but infinitely leſs than national degradation, and ſubmiſſion to the will of a foreign power; that every poſſible loſs of property and lives may be repaired by time and induſtry, if we preſerve our honor and our government, but that theſe, once loſt, can never be reſtored; in fine that a nation which weighs its purſe againſt its rights, never fails in the end to loſe both one and the other.

To ſhew that we will ſubmit to injuries, for fear of loſs, amounts to bribing foreign nations with our own money, to inſult and attack us.

I would anſwer that we magnanimouſly reſolved to reſiſt the power of Britain more than twenty years ago, when our reſources were infinitely leſs than at preſent, and our ſituation for employing them far more diſadvantageous, and that this reſolution created the means of reſiſtance. I would anſwer that we poſſeſs a population probably little ſhort of ſix millions; a country abounding with every thing neceſſary for the ſubſiſtance and arming of troops; more ſhips and ſailors than any nation on earth except England; an extenſive revenue not felt by the people, and capable of very great increaſe without oppreſſion; an union among ourſelves, cemented by habit, mutual intereſt, and affection; a martial ſpirit and enterprize, which ſo glorioufly diſplayed itſelf in the war for our independence; experienced officers formed in that war, and ſtill ready to bleed for their country; a wiſe government poſſeſſing our confidence, and capable of uniting and directing our exertions; in a word, that ſteady perſevering courage, that lofty unconquerable ſpirit of independence, wherein the true ſtrength of nations conſiſts, more than in population, in wealth, in fleets, in armies, or in generals; and which, wherever it exiſts, finds all other means or makes them.

I would anſwer that we ſtill poſſeſs WASHINGTON, the Hero and Patriot, who conducted us with ſo much glory thro' our former ſtruggle, and whoſe martial figure, which age has rendered more venerable without impairing its ſtrength, would again be ſeen at the head of our armies,

I would anſwer that with not half our numbers, few of our other advantages, and in a ſituation far more contiguous and more expoſed, the Swiſs have courageouſly and ſucceſsfully maintained their rights, and preſerved their tranquility, by thoſe meaſures which we now recommend, by proving to all parties: that though deſirous of peace they were prepared for war; were prepared to place their houſes, their families, and the bones of their fathers, under the protection of their ſwords, and to ſtake the laſt drop of their blood on the ſucceſs of the conteſt.

I would answer that if driven into a war we can buy at a price cheap to ourselves, the full co-operation of the British navy: that our numerous merchant ships can speedily be converted into ships of war: that by withholding supplies from France and her allies in the West Indies, we can most effectually aid the operations of her enemies: that Britain being thus enabled to call home a great part of her present force in the West Indies, will encrease still more her internal safety, and the superiority of her navy in Europe: and that New Orleans and the Floridas must fall into our hands, whereby we shall secure the navigation of the Mississippi, free ourselves from a troublesome neighbour, and obtain compleat controul over the southern Indians.

I would answer in fine, in the words of a celebrated writer, that where courage is not wanting, all other means will be found or created.

I might conclude this long address my fellow citizens, by an exhortation to summon up your fortitude, and prepare bravely to meet the attacks which may be made on our country. The subject supplies ample materials for an appeal to all the feelings which distinguish the Patriot and the Hero. But I know it is not necessary. The men who fought at King's-Mountain and the Cowpens, do not need an exhortation, to bleed for their country should she be forced to call for their assistance: and I know that, in case of that awful event which we so anxiously desire to avert, America will again find the sons of ninety six distrct among the bravest of her defenders.

Philadelphia May 25th. 1797.